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OPENING SCENE OF "THE REBELLIAD"

(See page 144).

BITS OF HARVARD HISTORY

BY

SAMUEL F. BATCHELDER



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TO
THE CLASS OF 1893

“THE BEST CLASS THAT EVER GRADUATED
FROM HARVARD COLLEGE”

Concerning the material here collected, the two military articles first appeared in the "Harvard Graduates' Magazine." Of the legal articles, the sketch of Professor Langdell was written for the "Green Bag"; and the history of the Law School has been elaborated from a paper read before the Choate Club of the School, and subsequently published in the "Atlantic Monthly." The medical paper, an extract from an extended essay on the medical conditions of 1775, was read before the Harvard Medical Society and afterwards printed in the "Harvard Alumni Bulletin." The architectural paper (first read before the Harvard Memorial Society), and the remaining articles in this volume, likewise appeared in the "Bulletin." Acknowledgments are due the editors of the above publications for courteous permission to reprint.

CONTENTS

I. THE SINGULAR STORY OF HOLDEN CHAPEL	1
II. THE STUDENT IN ARMS — OLD STYLE	35
III. THE HISTORY OF COMMONS, PART I	79
IV. THE HISTORY OF COMMONS, PART II	117
V. HARVARD HOSPITAL-SURGEONS OF 1775	155
VI. OLD TIMES AT THE LAW SCHOOL	193
VII. BARRACKS ON CAMBRIDGE COMMON, 1775-1918	241
VIII. WANTED! — “COLLEGE CHARACTERS”	259
IX. C. C. LANGDELL, ICONOCLAST	301

LIST OF ILLUSTRATIONS

Opening Scene of "The Rebelliad"	<i>Frontispiece</i>
Sketch by William H. Furness, A.B. 1820, in a copy at the Widener Library	
Holden Chapel about 1774	10
Enlarged from Paul Revere's "Westerly View of the Colledges"	
Thomas Hutchinson, A.B. 1727	12
Mrs. Holden's Arms	12
Drawn by Robert D. Weston, '86	
Holden Chapel — Alterations of 1814	24
Reduced from a plan in the Widener Library	
"A Midnight Foray into the Medical Room in Holden Chapel"	26
From "College Scenes," drawn by N. Hayward, A.B. 1850	
Holden Chapel about 1860	28
From a photograph in the Widener Library	
Flag of the Washington Corps, 1812	66
From a photograph of a "reconstruction," in possession of the Massachusetts Historical Society	
The First Harvard Hall	86
From Quincy's "History of Harvard University"	
The Buttery Clock	88
Part of a Page from the Steward's Book of 1650	90
Commons Hall, St. John's College, Cambridge Univer- sity	92
Early View of Kitchen, Christ Church, Oxford	98
From Ackerman's "History of Oxford"	
Second Harvard Hall before Enlargement	100
From Quincy's "History of Harvard University"	
University Hall, when used for Commons	142
From the same	

Plate from the Dinner Service imported by President Quincy	146
From the collection of Ezra H. Baker, '81	
Handle of Tablespoon, from Silverware imported by President Quincy	146
"Boarding Yourself"	150
From "College Scenes," drawn by N. Hayward, A.B. 1850	
"Thayer Commons" about 1870	152
Memorial Hall in 1875	154
Dr. John Warren, A.B. 1771	158
From the portrait by Rembrandt Peale	
Dr. William Eustis, A.B. 1772	158
From the portrait attributed to Stuart	
Josiah Bartlett, M.D. (hon.) 1809	162
From the portrait by Stuart, in the Masonic Temple, Boston	
Dr. Isaac Hurd, A.B. 1776	162
From a portrait in possession of Charles E. Goodspeed, Boston	
Dr. William Aspinwall, A.B. 1764	168
From the portrait by Stuart in possession of Mrs. Thomas Aspinwall, Brookline	
Dr. Lemuel Hayward, A.B. 1768	168
From a photographic copy in possession of Henry W. Cunningham, '82	
James Thacher, M.D. (hon.) 1810	174
From his "Medical Biographies"	
Dr. Gad Hitchcock, Jr., A.B. 1768	174
From the "Hitchcock Genealogy"	
Dr. David Townsend, A.B. 1770	178
From the portrait attributed to Stuart	
Dr. Ebenezer Crosby, A.B. 1777	178
Dr. James McHenry	184
From the portrait attributed to St. Memin	

LIST OF ILLUSTRATIONS

xiii

John Morgan, M.D. (Edin.) 1763	184
From the portrait by Angelica Kauffmann	
Chief Justice Isaac Parker	198
From the portrait in the Harvard Law School	
College House No. 2 and the Court House in 1795 . .	206
Reduced from a watercolor by William Boyd, A.B. 1796, in the Widener Library	
Dane Hall, Original State	210
From Quincy's "History of Harvard University"	
Dane Hall about 1855	220
The Library in Dane Hall	236
Naval Radio-School Barracks on Cambridge Common, 1918	242
From a photograph by the Author	
The "Laboratory" on Cambridge Common in 1784 . .	256
Slightly enlarged from a watercolor by Joshua Green, A.B. 1784, in the Widener Library	
Broadside of "Father Abbey's Will"	274
From the collection in the Widener Library	
Idealized Portrait of Miss Morse	280
From "The Rebelliad"	
Clary about 1860	280
From Class Album of '61	
John the Orangeman, about 1890	288
From a photograph in possession of the Author	
"Poco"	292
Sketch by E. R. Little, '04, in his "Harvard Celebrities"	
A Consistory of Goodies	294
From Class Album of '65	
"Mr. Jones the Bell-ringer"	296
From the "Harvard Graduates' Magazine," vol. 12 (1904)	

Mr. Foster in Action	298
From a photograph in possession of John W. Cummin, '92	
Christopher Columbus Langdell, about 1870	306
From Class Album of '74	
Christopher Columbus Langdell, in 1892	316
From the portrait by Vinton, in the Harvard Law School	

THE SINGULAR STORY OF
HOLDEN CHAPEL

I

THE SINGULAR STORY OF HOLDEN CHAPEL

ONE of the apparent incongruities of Harvard's history is the fact that for over a century the College had no chapel. As a frontier town promptly erects its block-house, a logging camp its sawmill, or a new county seat its jail, so one might suppose an institution avowedly established as a divinity school would at once provide a special edifice dedicated to the purposes of religion. But it is characteristic of the founders of the University that they felt no such need. For them the beauty of holiness lay not in fretted vault or storied windows. Subconsciously, perhaps, they realized that the sterner, the barer, the colder, and the more cramped the quarters, the more appropriate for the creed they so pitilessly expounded. Their failure to supply anything better is the greatest outward and visible sign of the mental viewpoint that differentiated their College from those elder institutions which they copied with such pathetic fidelity in every other detail of equipment. Library, philosophical chamber (or laboratory), commons-hall, buttery, even the brew-house, they reproduced as faithfully as the poverty of their circumstances would allow;

but the meretricious forms and ceremonies of churchmanship were precisely what they had fled from the old world to avoid.

For all that, the spiritual life of the undergraduates — the only thing that really mattered in this vale of tears — was pried into, dissected, and stimulated with relentless vigor. The scholars read the Scriptures twice a day, says Quincy; they had to repeat or epitomize the sermons preached on Sunday, and were frequently examined as to their own religious state. In every week of the college course, every class was practised in the Bible and in catechetical divinity.¹ (At first, the sole requirement for the degree of A.B. was the ability “to read the original of the Old and New Testament into the Latin tongue, and to resolve them logically.”²) Morning prayers were held at an hour that would have made an anchorite blush. Evening prayers again collected the College as the sun sank over the Watertown hills. The Sabbath was a sort of theological nightmare of services, sermons, expositions, and catechisms. Originally each class met for its daily devotions in the chamber of its special tutor. Later, all the “scholars” assembled in the commons-hall, or the library of the first Harvard, whose quaint Dutch gables suggested the architecture of Delft

¹ Quincy, *History of Harvard University*, i, 191. See also Thayer, *Historical Sketch of Harvard University*, 31.

² No. 18 of the original “Laws” of 1642.

and Leyden, where the Calvinists had found sanctuary, and whence they had set forth on their great adventure. On Sundays the whole personnel adjourned to the First Parish meeting-house hard by, where — with an hour or two of “nooning” — the luckless boy-collegians yawned and shivered all day in the front gallery.

This use of the meeting-house illustrates another trait of the early administrators of the University — their canny New England economy. The ancient fane, rebuilt at intervals of sixty years or so, became by long custom almost a part of the College itself. Indeed the location of the dwelling of the Reverend Mr. Shepard, its first pastor (about on the corner of Harvard and Quincy Streets), is said to have determined the site of the original college building, that the students might have the benefit of close proximity to this paragon of piety. By virtue of being the largest auditorium in town, the meeting-house served for two centuries and more for the commencement exercises, and all other academic convocations, grave and gay. Its steeple was adorned with the “college clock,” which was removed to Concord with the rest of the University paraphernalia at the outbreak of the Revolution. From its pulpit, through many turnings of the hour-glass, thundered forth the most approved expositions of that orthodoxy which the College was founded to preserve in its pristine purity.

Plainly, then, to go about the building of another, independent house of worship for the undergraduates would be a mere duplication of effort and a sinful extravagance. Since happily the means of grace were already thus free for all, without money and without price, let the mammon of unrighteousness, which was none too plentiful at best, be expended on objects more difficult of attainment.

For a hundred years, therefore, Harvard remained content without the symbolic focus and crowning glory of an English college. Theologically, nothing of the sort was desired; practically, it was not needed. But as the institution increased in size and reputation, as the stringency of the old dogma began to abate, as the standards of living became less austere, and as travellers brought back accounts of the older Cambridge and its chapels, — the spiring elegance of King's, or the solemn grandeur of Emanuel, — the more broad-minded and cultivated portion of the community began to ask why a "collegiate church" should not also adorn the banks of the Charles.

To these semi-mundane considerations was added the tremendous emotional stimulus of the first visit of Whitefield. He swept through Cambridge like an apocalyptic whirlwind, fanning into fresh flame the dying embers of the old religious fervor. His unfavorable com-

parisons between the tone of Harvard and the English universities seem to have caused the College and its alumni to cast about for some means of refuting him by tangible evidence of its spiritual vigor. With the brilliant and distinguished Thomas Hutchinson of the class of 1727 the idea of a separate chapel befitting the institution took definite shape; and on a journey to London in 1740 he determined to exert his influence towards that end.

Now it so befell that one Samuel Holden, "of Roehampton, Parish of Putney and County of Surrey," a rich London merchant, member of Parliament and Governor of the Bank of England, who was the leader of the English Dissenters, had already turned his benevolent gaze towards Massachusetts, that stronghold of his creed in the western world. It is related that he, or his immediate family, sent to this community the equivalent of £10,000, in money or donations for works of charity and piety. A single item comprised thirty-nine sets of Baxter's Works in four massive volumes,—enough, one might think, to sink the ship conveying them by their own ponderosity. But such was the gratitude and veneration in which his beneficiaries held his name that when the northerly part of Worcester was set off as a separate township in 1741 it was christened Holden, and so remains to this day.¹

¹ Damon, *History of Holden, Mass.*, 31.

Samuel Holden was a fine type of self-made man,—a character well rounded with the solid English virtues. By his own endeavors he rose to positions of trust and honor in the diverse fields of trade, politics, religion, finance, and charity. Nor did he forget that though the latter virtue begins at home, it by no means ends there. At his death on June 12, 1740, he left to his widow, Jane, and his three daughters, Priscilla, Jane, and Mary, the tidy sum of £80,000. By a codicil to his will he had provided that if his estate exceeded £60,000 the surplus should be distributed, at the discretion of his wife and children, in charitable uses, “such as promoting true Religion, I mean Sobriety, Righteousness and Godliness, without regard to any party or denomination, either here or in New England.”¹

Here was Hutchinson's opportunity made to his hand. He himself had been bred a Dissenter (though in after years, as Royal Governor and Chief Justice of Massachusetts, he attended the Church of England) and could meet the Holdens on a common religious ground. As an alumnus of Harvard he could set forth the needs of the College convincingly. Especially on financial affairs of every sort he was already an acknowledged authority. Upon the amiable Jane and her offspring, who seem to have been ladies of notable modesty, piety,

¹ *New England Historic-Genealogical Register*, xlv, 163.

and sensibility, he made a most favorable impression. Dr. Isaac Watts, who wrote even more letters than hymns, met him at Mrs. Holden's house early in May, 1741, and subsequently opined that her "disposition" towards him was such that he could have virtually anything he asked for. In the upshot he secured a donation of £400 "to build a Chapple for the Use of y^e College" at Cambridge. The news was greeted "with much approbation."¹ He probably brought the actual cash with him on his return to America; for on the first day of December, 1741, he landed "at Cape Cod," and on the 14th the Corporation passed a formal vote of thanks to the donor, and another to him "for his good offices in proposing to Mrs. Holden this appropriation of her bounty to Harvard College."

As soon as the winter was over, the erection of the building was actively taken in hand. Young Edward Augustus Holyoke of the class of 1746 was then just entering college, and with all of a boy's interest in building operations he records in his diary the successive stages of the work:

¹ Letters of Isaac Watts to Dr. Coleman of Boston, in Massachusetts Historical Society *Proceedings*, 2d Series, ix, 380 ff. Coleman published a funeral sermon on Holden, including pious extracts from the latter's correspondence. Mrs. Holden and her daughters "much disapproved" of thus having his "private religious sentiments made public in an age wherein religion is not very modish," and actually suppressed a London reprint.

1742, June 2. Foundation of the Chapel Laid Some part of y^e begin'g of this month.

Aug. 18. this day I was Admitted into Harvard College.

Dec. 18-20. Sometime this part of the month, the brick-work of the chapel was finish^d.

1743. Feb. 19. The Slates for the chapel were begun to be cut in order to be put on it.

Mar. 4. Last night Late they begun to slate Chapel.

Mar. 7. The workmen at y^e Chapel didn't come up till y^e next day.

Mar. 12. Y^e workmen went down from y^e chapple & return^d on Moonday following.

Mar. 28. Workmen were not up all day.

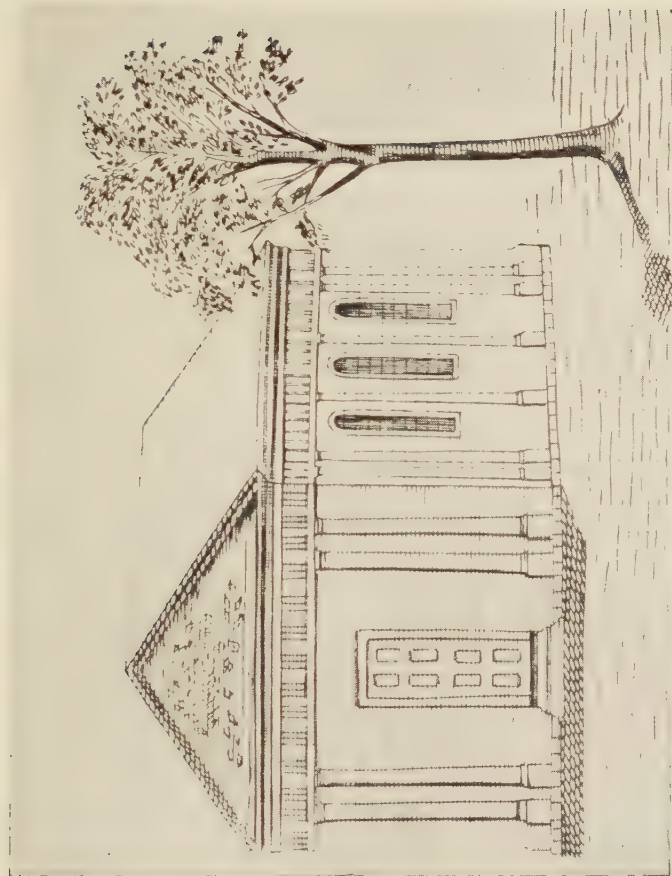
May 31. Finish^d Plais[t]ering Chappel.

1744. Feb. 26. Workmen came to finish the Chappel.¹

It thus appears that although the foundations, walls, roofing, and plastering were all completed within a year, almost another year elapsed before the final touches were given to the fabric. This may have been due to delays in securing the glass, hardware, carvings, etc., from England, or to the exhaustion of the original building fund, and a further application to Mrs. Holden for the needful wherewithal. The latter is the more probable, since the tradition runs that she originally expressed surprise that so small a sum as £400 should be considered sufficient. When at last it was finished, however, the College boasted a building the like of which had never been seen in the vicinity before.

Its style was neither the pseudo-Dutch of the first

¹ Dow, *The Holyoke Diaries*, 32 ff.



HOLDEN CHAPEL ABOUT 1774

Showing high door, continuous entablature, and original size of windows

Harvard nor the severe colonial of the other halls, — “the Muses’ factories,” as James Russell Lowell so aptly dubbed them, — but a pure and beautiful Georgian. The proportions were so correct that even the solid unbroken roof, with its high-pitched gables, seemed to be carried easily and naturally. The round-topped windows (originally shorter, and thus better shaped), the wall pilasters, paired at the corners, the classic entablature (now unfortunately missing from the side walls), the monumental treatment of the west end, were all totally new here, and have been extensively copied by later designers. The entrance was at the west — all the college buildings then faced the Common — with a doorway much larger and more stately than the present dummy portal; which, by the bye, is a finely allegorical type of the modern “entrance requirements,” outwardly fair, but practically deceptive. In the gable above it is the strictly memorial and personal feature of the edifice, Mrs. Holden’s coat of arms — a far more decorative and impressive method of commemoration than the modern “tablet” to those who are not fortunate enough to be *armigeri*. The bold and handsome carving, with its florid scrolls and apoplectic cherubs in high relief, is an admirable piece of work, so solidly and honestly executed that in spite of its exposed situation it has successfully defied the ravages of one hundred and

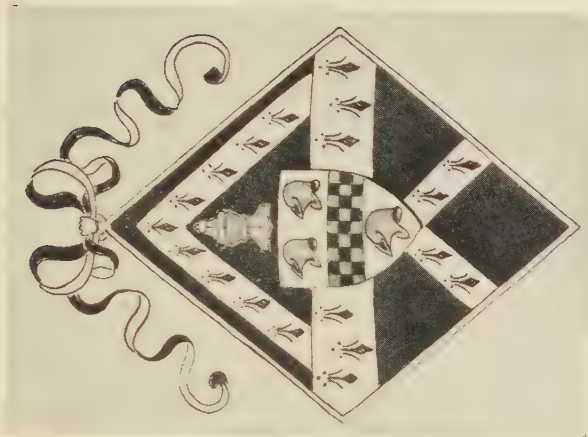
eighty New England winters, to say nothing of the almost equally devastating New England summers.¹

These arms, apart from the unique distinction of being the only extant piece of applied heraldry in the College, are of considerable interest in themselves, as showing how exactly family relationships can be expressed by this now almost forgotten art. (If the carved representation could be painted in its proper colors, it would be much more effective, and much easier to decipher.) The Holden coat, in untechnical language, consists of a black shield bearing a horizontal band, or "fesse," of ermine, between two ermine chevrons. In the space between the upper chevron and the fesse is a golden cup, with cover. This coat belonged to an ancient Lancashire family, which as early as 1613 could already trace back through half a dozen generations. Mrs. Holden came from the family of Whitehall, whose arms were a silver shield, bearing a fesse checkered in red and black, between three helmets. According to the rule for a married woman, this shield, reduced in size, is placed in the centre of her husband's arms. The latter are not carried in a shield, but in a lozenge, to indicate his death and her consequent widowhood. To the initiated, therefore, the whole device proclaims as plainly as a visiting-card, "The Widow Holden, *née* Whitehall."

¹ Mr. W. W. Cordingley (H. C. 1907), an expert in such matters, declares that "this carving is certainly the finest thing of its sort *in situ* in America."



THOMAS HUTCHINSON, A.B. 1727
who secured Holden Chapel for Harvard



MRS. HOLDEN'S ARMS

It may be added, as a capital bit of Latin punning, that the family motto is said to have been *Teneo et Teneor* — "I Hold and am Holden."¹

The interior arrangements of the chapel must have scandalized the stricter Calvinists; for the painted box-like pews to which they were accustomed were replaced by long rows of solid oak benches parallel to the central aisle, and rising in successive tiers to the side walls — the traditional English collegiate plan, modelled on the choir of a cathedral! The pulpit, or president's desk, was at the eastern end; at the western, possibly a gallery above the door. The ceiling was a plain barrel vault of gentle curvature. The windows had the rare adornment of curtains or draperies.² A sober amount of carving probably enriched the whole. Altogether, a little gem of a building, simple yet elegant, harmonizing in material and scale with its neighbors, of academic dignity and restraint, and perfectly adapted to its purpose.³

Who designed this beautiful bit of architecture? Clearly it was not, like the other edifices of its time, the

¹ For these interesting heraldic details I am indebted to the learned researches of R. D. Weston, '86.

² Among the "Damages done to the Colledges by the Army after Apr. 19th, 1775" is inventoried the loss of "Chapel Window Curtains." Harvard College Papers, ii, 44.

³ See description of the building in 1759, in *Life of Timothy Pickering* (H. C. 1763), i, 10.

effort of some ambitious master-builder or some home-taught head mason. There was then but one trained architect in New England, Peter Harrison of Newport; and this design not only antedates all his known work, but is not altogether in his style. The easiest solution of the problem is to assume that the plans were drawn in London, and brought over by the thorough-going Hutchinson along with the money to carry them out. Perhaps further search may some day successfully link one at least of Harvard's buildings with the name of a great English architect of the eighteenth century.

The foregoing considerations of the origin and style of Holden Chapel show the unique position this little structure occupies among its fellows in the Yard. Not alone is it the only one of the existing "ancient" buildings that was given by a private individual, but it is the only one *ever* given by an English donor — the sole tangible, brick-and-mortar evidence of the mother country's good-will to Harvard. Furthermore, its design, from carved coat-armor to oaken benches, was as English as its giver; so that it stands to-day a complete exotic, a bit of the old world set down in the new, a solitary English daisy in a field of Yankee dandelions.

It remains to follow the equally unusual fortunes of the completed edifice.

For twenty years or so the chapel fulfilled its intended

use. The Honorable Andrew Oliver of the class of 1724, brother-in-law of Hutchinson and later his successor as lieutenant-governor, gave a handsome folio Bible for its pulpit. Timothy Pickering of the class of 1763 describes it in his freshman year as regularly occupied for morning and evening prayers by all the students, both "in" and "out of college." The tedium of these occasions was frequently relieved, according to custom, by the "public admonitions" delivered to erring youth, and by the "declamations" delivered by the youth themselves—about the only training in English then on the curriculum. During this period the building was really a welcome addition to the overcrowded accommodations of the College; quarters had become so cramped that many of the students were forced to board "out" in the private houses of Cambridge; and the room (if any) in Harvard Hall formerly used as a chapel was probably subdivided into "chambers."

With the erection of Hollis in 1764, however, the pressure was greatly relieved, and a singular disinclination to occupy Holden any longer immediately made itself manifest. Had its unfamiliar, too ecclesiastical "stalls" been filled only as a matter of necessity, and with mental reservations of protest? Or had its total lack of heating arrangements proved too much for even the hardy New England constitution? Or did the Fac-

ulty, to say nothing of the "scholars," actually miss the more social conditions of the meeting-house, where the pretty faces of the village belles and the eccentricities of the local worthies relieved to some extent the monotony of exegesis and homiletic? Or was the maintenance of a now practically superfluous building more than Mr. Treasurer cared to assume? It is hard to say; but the surprising fact remains that when the new Harvard Hall was finished in 1766 to replace the old one burned two years before, the ancient "intramural" system was resumed, the west room on the ground floor was set apart as a "new chapel," and the "old chapel," as it had already become — so short is collegiate memory! — was abandoned.

From this date Samuel Holden's memorial entered upon a series of metamorphoses that would have puzzled Ovid himself. The first was that of a legislative chamber. In November of 1768 the advance detachments of British troops marched up Long Wharf, and Boston, to its intense disgust and apprehension, became a garrison town. No portion of the community was more perturbed than the members of the Great and General Court, when they assembled as usual on the last day of the following May. They promptly declared that they could not deliberate under virtual duress, and petitioned Sir Francis Bernard, the Royal Governor, to remove the

troops. Bernard replied, with disconcerting neatness, that if the wind lay in that quarter, though he could not remove the troops he would gladly remove the legislators. Accordingly in the middle of June, 1769, he transported the General Court, loudly protesting, to Harvard College, placing the Council in the "philosophy chamber" of the new Harvard Hall (which, by the way, he had himself designed) and the House in Holden Chapel.

The opening of the session was a memorable event. As soon as the members had, most unwillingly, taken their seats, the undergraduates, attracted by a mixture of curiosity and patriotism, crowded into every remaining space, and James Otis (H. C. 1743), then leader of the House, seized the opportunity to deliver one of his most telling orations. He harangued his unusual audience, says his biographer, "with the resistless energy and glowing enthusiasm that he could command at will; and in the course of his speech took the liberty, justified by his successful use of it, as well as by the peculiarity of the occasion, to apostrophize the ingenuous young men who were then spectators of their persecution. He told them the times were dark and trying; that they might soon be called on, in turn, to act or suffer. He made some rapid, vivid allusions to the classic models of ancient patriotism, which it now formed their duty to study, as it would be hereafter to imitate. Their coun-

try might one day look to them for support, and they would recollect that the first and noblest of all duties was to serve that country, and if necessary to devote their lives in her cause.”¹ The effect was electrical. This was not the droning, musty stuff they had heard here so often. This was fierce reality, this was Life — perhaps even Death. *Dulce et decorum* . . . Then and there many a youthful heart received the inspiration which, when the hour soon came, as foretold by the speaker, was to give the sons of Harvard an honored place in the times that tried men’s souls.

Architecturally, Bernard had chosen in Holden Chapel an excellent meeting-place; for the long rows of benches, with the gangway between them, and with the speaker’s desk at the upper end, gave a surprisingly accurate imitation, in little, of the House of Commons itself. This similitude to the home of their oppressors, all the same, was the last thing to recommend it to the Yankee representatives. Practically, too, they found it uncomfortable, and in a few days they requested of the Corporation “the use of the new chapel during their session in the College, on account of some inconveniences which attend their sitting in the old one.” The Corporation consented, and ordered that while the House occupied the new chapel, “prayers be attended in the old, morning and evening.”

¹ Tudor, *Life of James Otis*, 355.

Bernard sailed for home that same year; but in March of 1770 occurred the Boston Massacre, and his successor, Hutchinson, who has already figured in our story, prudently followed his policy of "rusticating" the Legislature.¹ For three strenuous years, under one pretext or another, the Great and General Court, resisting tooth and nail, was forced to continue at Cambridge. Throughout that time the above housing arrangement was apparently adhered to, Holden serving as a convenient overflow for the curious *olla podrida* of religion, education, and politics that stewed and simmered in the college cauldron, waiting only for a little more fuel to boil up into active revolt.

That portentous event was not long in coming. Harvard, in the very heart of the cataclysm, was shaken to its foundations. Soon after the Battle of Lexington the students were ordered out of college, and the buildings were appropriated to the needs of the militia who poured into Cambridge, the headquarters of the revo-

¹ Bernard's original taking of Holden Chapel seems to have been by a species of eminent domain, no record appearing of the Corporation's consent. In 1770 the Corporation addressed Hutchinson, objecting to the continued use of the College by the General Court, but received a conciliatory reply; and being informed that the House "does not choose to enter the Chapel of the College without the concurrence of those with whom the property and care of it is entrusted, do hereby signify their consent, to oblige the House in such a case of necessity." Indeed, considering the increase in business and prestige that the Legislature brought to Cambridge, we may well surmise that, in voicing any protests, the Corporation, like Bottom, roared as gently as any sucking dove.

lutionists. The dormitories were speedily filled to overflowing with troops; but Holden seems at first to have served as a sort of general utility room. Courts-martial were sometimes convened there, for which its arrangements were not ill-adapted.¹ Later, as the demand for quarters increased, it too was taken for a barrack, and 160 men were somehow packed away in it. Details are lacking, but as all the buildings suffered severely at the hands of their high-spirited and ill-disciplined occupants, there seems no reason to doubt that "the north chapel," as it was then called, lost at this stage much of its interior beauty. Being of no immediate use after the departure of the army, it was left neglected in the general repairs that followed the return of the collegians to Cambridge; the only attention it appears to have received was a set of heavy wooden shutters over the windows, which were probably nearly all broken. Any restorations, indeed, appeared to be quite hopeless; and in the second "Account of Damages" to the College by the troops occurs the entry: "Holden Chapel so much damaged as to be unfit for Use."²

¹ The MS. Orderly Book of Learned's regiment, preserved by the American Antiquarian Society of Worcester, gives an order on August 16, 1775, for a court-martial to sit "in the Colage Chapple." Another curious entry occurs in Fargo's Orderly Book, July 27, 1775, for a court of enquiry to sit "in the tutors Chamber," on "Mr. Benjamin Whiting now a prisoner in the Colege." Connecticut Historical Society *Collections*, vii, 67.

² April 6, 1777. Harvard College Papers, ii, 44.

So wretched was its condition that in the autumn of 1777, when extraordinary efforts were in progress to quarter the "Convention Troops" of Burgoyne in Cambridge, and a serious proposal was brought forward to take one of the college halls, no mention was made of it as even a possibility, though being vacant it would naturally have been considered first of all. The only thing it was fit for was a sort of University lumber-room. The word can be taken literally, for within those formerly sacred walls the college carpenter, Abraham Hasey, is said about this date to have set up his shop.¹

Another use of the building, perhaps as mystifying as any, is hinted at in the Faculty vote of December 3, 1779 — "That Kendall be directed to see that the College Engine & Bucketts be immediately repaired, & plac'd in Holden Chapel." The engine, sapiently procured immediately *after* the burning of Harvard Hall, had probably just come back from Concord, whither it had been removed during the military occupation. Samuel Kendal was only a sophomore; but with a touching faith in the undergraduates, the engine was regularly placed in their care. The results are not hard to body forth. "Exercising the engine" became a pleasant duty for the whole college; and a burlesque Engine Society arose, attended all fires in the neighbor-

¹ *Harvard Book*, i, 60; *Harvard Register* (1827), 284.

hood, and did incredible damage until itself extinguished about 1822.¹

Thus lay the "old chapel," desecrated and forsaken, until that year of 1783, memorable in Harvard annals as the time when the College burgeoned into a true university by opening the first of its professional schools. The Medical School, the earliest in New England, resulted from the unwearied efforts of Dr. John Warren of the class of 1771. To his eagle eye the rising tiers of seats in Holden offered the nearest approach to an operating amphitheatre obtainable in those days, when lecture-rooms were small and scarce — obtainable, too, at little expense save some rough repairs and the construction of a tiny chimney to permit the introduction of a stove.²

In consequence, having served the purposes of church, state, and army, Madam Holden's gift next came under the domain of medicine. Among all its transformations, this phase was not only the most memorable, as the

¹ See B. H. Hall (H. C. 1851), *College Words and Customs* (ed. 1856), 178; *Harvard Magazine*, x, 162; *Harvard Book*, i, 68, 70. In this, as in so many other extravagances, the youngsters — who were then "college boys" in a very literal sense — were but aping *ad absurdum* the failings of their elders. For an astonishing account of the excesses of the volunteer fire companies of Boston, and their forcible abolition by Mayor S. A. Eliot (H. C. 1817), see A. P. Peabody (H. C. 1826), *Harvard Graduates Whom I Have Known*, 158 ff. College pranks, and indeed most of the odd phases of college life, are too often looked upon as inexplicable phenomena totally unrelated to the life of the rest of the community and the manners of the time, to which they can usually be traced.

² Corporation vote, December 24, 1782. Committee to provide some convenient room for medical lectures, or to fit up Old Chapel if necessary.

cradle of an institution now renowned throughout the world, but also the longest continued. Here, for nearly thirty years, amid primitive conditions and difficulties that would appall the modern instructor, taught Warren, Dexter, Waterhouse, and the other giants of that day. Here, with attentive gaze fixed on the dissecting-knife, sat Nathan Smith, James Gardner, John Dixwell, John Hosmer, James Jackson, Benjamin Shurtleff, Robert Thaxter, John Gorham, Rufus Wyman, and others destined to be among the foremost practitioners of their time. Moreover, to assist in popularizing the school, the lectures were also open to seniors "who had obtained the consent of their parents"; and not a few, with the morbid curiosity of youth, availed themselves of this gruesome privilege.

The few simple anatomical specimens at first collected in Holden Chapel speedily became one of the greatest sights of the College, producing the liveliest emotions among visitors, most of whom had no idea that their insides were so fearfully and wonderfully made. One caller, on "A Journey through New England," was so overcome that he burst into verse, which was published anonymously in the *Massachusetts Centinel* of July 14, 1787. He was evidently shown about by Dr. Waterhouse, since the whole peroration is devoted to praises of that ornament of the school. A short extract will

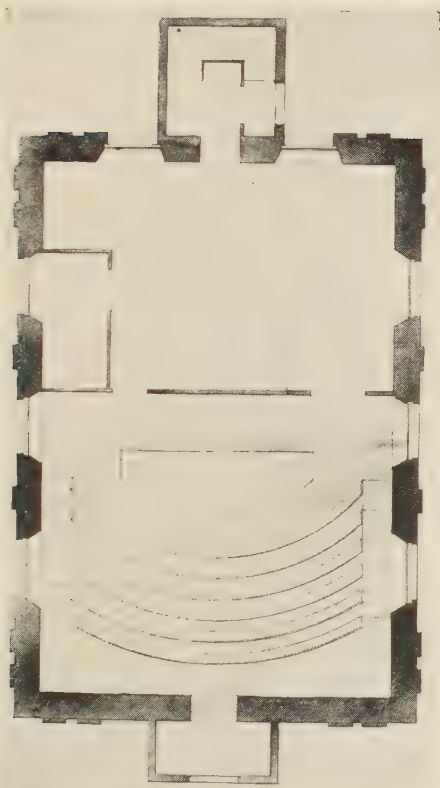
give an illustration of his style, as well as of his ingenious use of foot-notes to bolster up the Muse.

Why do'st thou start! Why pale and out of breath?
 'T is but thyself thou see'st disrobed by death.*
 Approach these honest bones, nor stare aghast.
"In this complexion must thou come at last."
 The human frame stripped of its blushing skin —†
 Each larger duct, and ruddy muscle seen. . . .
 There WATERHOUSE shines! His Esculapian art
 Ranges in order every doubtful part;
 Free of access, with easy manners crowned,
 He speaks — and information spreads around!

* At the sight of the Skeleton.

† An Anatomical preparation.

By 1800 another fit of "growing pains" began to embarrass the University. Nearly all the freshmen were obliged to room in private houses. Both the Medical School and the College proper needed more space for teaching purposes, and Holden Chapel was again requisitioned as an emergency outlet. There now commenced a remarkable series of structural alterations to the fabric that continued intermittently for eighty years. The building was first divided into two storeys by an additional floor ten feet above the original one. To reach the second storey, a staircase was constructed in a brick well protruding from the eastern end. A partition was run straight across the whole interior, and the western end of both floors was again subdivided, so as to give two rooms on a floor. These four western rooms were appropriated by the College for the



HOLDEN CHAPEL

Ground Floor. Alterations of 1814

undergraduate recitations, each class having its fixed habitat. The west door, much reduced in size, was protected by a crenellated porch, vaguely supposed to be in a fitting Gothic style. The eastern half of the edifice was allotted to the Medical School. On the lower floor were two rooms used respectively as a "Chemistry Room" and a "Physic Room." (The original lectures in chemistry and *materia medica* seem to have been given in the basement of Harvard, which was found "unhealthy and inconvenient.") On the upper floor was the anatomical lecture-room, with curved ranks of rising benches.¹ All this, including the necessary passageways, was accomplished in a building whose interior dimensions were only 46 by 30 feet!² It is somewhat startling to consider that scarcely more than a century ago the sum total of the instruction both for the College and for its one professional school was comfortably given in such a diminutive structure. As a wag of the day remarked, the chapel was *Holden'* the entire University.³

In 1810 it was decided to remove the Medical School to Boston; but Dr. Warren's lectures had proved so

¹ Harrington, *History of the Harvard Medical School*, i, 288. Corporation vote of September 17, 1800.

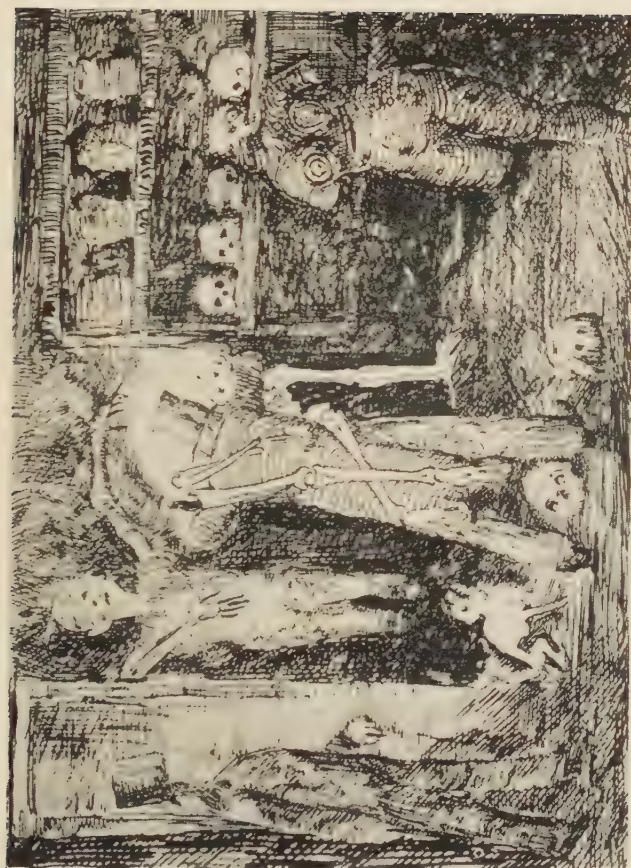
² See the valuable set of plans (from which the illustration is taken) in the Map Room of the Widener Library.

³ Reminiscences of Edward Everett (H. C. 1811), before the Alumni Association, 1852. Quoted in *Harvard Register*, iii, 83.

popular with the collegians that it was expressly stipulated that he should still deliver an annual course in anatomy and chemistry at Cambridge. Four years later, the building of University Hall (containing another intramural chapel) again relieved the pressure on Holden, the undergraduate recitations were removed to the new hall, and a fresh set of alterations was made in the old edifice. The anatomical amphitheatre, now taken over for a "Philosophy Room," was shifted to the western end of the second floor, and enlarged by pushing the partition toward the east.¹ A curious circular sky-light or cupola, resembling the conning-tower of a submarine, was opened in the roof above it, greatly improving its illumination.² The lower floor was thrown into two rooms, as the former four had proved little better than dungeons — small, low, dark, damp, and melancholy in the extreme. To amend their light and ventilation, the side windows were cut down about two feet (where they still remain), and a narrow slit was pierced on each side of the staircase well at the eastern end. These changes had very little effect; the lower rooms, with their floors on mother earth — as innocent of a cellar as the pyra-

¹ Corporation vote of August 27, 1814. Chapel to be "fixed up for a Philosophy Room," at request of the President, by Mr. Farrar (Hollis Professor of Mathematics and Natural Philosophy).

² Dr. Peabody speaks of it as "a lecture-room lighted from above, cheerful, airy, and by far the most beautiful apartment then appertaining to the college." *Harvard Reminiscences*, 208.



"A MIDNIGHT FORAY INTO THE MEDICAL ROOM IN HOLDEN CHAPEL."

mids of Egypt — remained hopelessly dank; a coat of varnish, applied in a moment of lavish optimism, refused to dry; and they were gradually abandoned altogether. Indeed the whole building soon sank into desuetude, and is described in 1825 as totally deserted.

The desertion was not really total. For a few weeks during each spring term the doors were unlocked for the repetition of the single course of “sepulchral lectures in anatomy” perseveringly delivered in the amphitheatre by the Warrens, father and son, for over sixty years.¹ To make the most of the rare and hardly-obtained “subjects” (usually one cadaver a year) these lectures were often from two to three hours long. For further illustration, a collection of anatomical preparations, specimens, models, and skeletons was kept in the upper storey of the building, and midnight raids on the “medical museum” formed one of the favorite diversions of many generations of godless undergrads. (As late as the eighteenthies the approved decoration of a “sporty” student’s room consisted of skulls, cross-bones, and other fragments of the departed.) There is little doubt that from these orgies originated the mysterious and irrepressible “Med. Fac.”

In the spring term also the lower floor was restored to its traditional use as a chemical lecture-room, for a

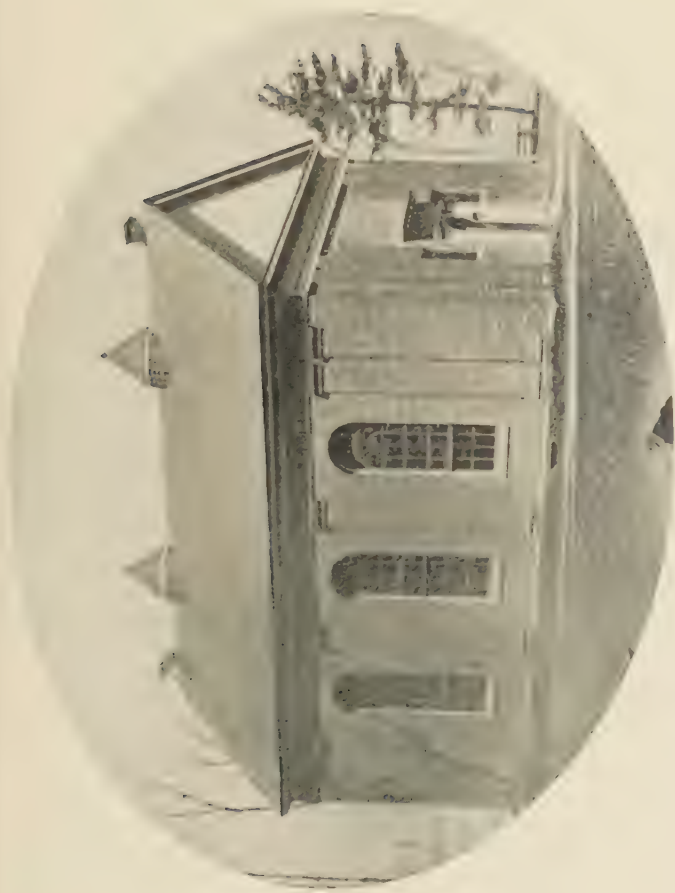
¹ Cazneau Palfrey (H. C. 1826), “A Study of Holden Chapel,” in the *Harvard Register*, ii, 238.

“very rapid and elementary” course delivered to the juniors by Professor Webster, who had succeeded Professor Dexter in that department of the Medical School. The elementary character of the work certainly produced great rapidity on some occasions. For the following vignette of collegiate chemical instruction in that era I am indebted to President Eliot:

My cousin Samuel Eliot, Harvard A.B. 1839, used to tell a vivid story of the manner in which his class left Holden Chapel lecture-room when Dr. John W. Webster touched off something he called a volcano in an iron pot, placed on a table in front of the class, by means of a long pole on the end of which was a small torch. He himself retired behind the closet door to perform the lighting of the volcano. The iron pot exploded into many pieces. One piece passed close to Eliot's arm into the solid back of the wooden bench on which he sat. A mass of disagreeable smoke filled the building; and the class threw themselves out of the windows.

Thus, for nearly a generation, Holden's despised lecture-rooms served only for the dirty work of the curriculum. In 1850, however, the general march of improvements reached its drowsy corner of the Yard, and a fresh series of alterations was valiantly undertaken. The west porch and the east staircase well were both removed, and the stairs placed inside the main building. (It may have been at this time that the pilasters on the eastern wall lost both their caps and their bases.) The west door received a semicircular heading to match the windows.¹ The upper floor was all thrown into the

¹ Shown in Miss Quincy's drawing, in her father's *History of the University*, ii, 38.



HOLDEN CHAPEL ABOUT 1860

Showing cupolas, chimney, small east windows, and scar of staircase-well

lecture-hall, still with sloping tiers of curved benches, now accommodating 150. A second cupola was thrust through the roof to give additional light to the apartment. Most of the lower floor was turned into a "museum" with glazed cases for the anatomical specimens and what miscellaneous curiosities the College could then boast. At the eastern end was a small laboratory, with a sink and a chemical furnace.¹ Although this floor was apparently as cheerless as ever, "Upper Holden," with fresh white paint, ample light, and good seating arrangements, became the most popular lecture-hall in college, and later, a favorite evening clubroom. In the eighteen-seventies it was fitted with a stage, and rang with the musical and dramatic performances of the famous Everett Athenæum.²

By 1880 the wheel of change had swung full circle. The increasing number and size of recitation-halls had once more rendered the use of the chapel unnecessary, and its nondescript alterations and excrescences were rightly considered intolerable disfigurements. With commendable veneration and care it was restored practically to its original condition. The additional floor was removed, all partitions were torn out, the small windows at the east end were bricked up, and somewhat

¹ These changes are fully described in the President's Report for 1849-50.

² *Harvard Book*, i, 60; ii, 413.

later the turret-like cupolas were sliced off. In order to conform to the scheme of the now completed Yard, however, the eastern entrance was retained, and the old western door, ornamented with a correspondingly classic treatment, was permanently closed. Since that time the building has been occupied in irregular succession by the music department, the elocution courses, the choir rehearsals, and other more or less resonant assemblages desiring a detached hall of moderate size.

If then in closing we cast a retrospective glance over the nine-score years of Holden's history, we may safely say that no other Harvard building has had such a picturesquely checkered career. It has been a most piquant example of the *lucus a non lucendo*. Losing irrevocably its intended aim of "promoting true Religion" in less than a generation after its erection, it has alternated between long periods of disuse and others of active employment as senate-chamber, court-house, barracks, carpenter-shop, engine-house, dissecting theatre, recitation building, museum, lecture-hall, clubhouse, laboratory, general auditorium — everything *but* a chapel.

In some of these capacities, dramatic scenes have been enacted beneath its roof; but the drama has required, so to speak, a most laborious amount of stage-setting. At least four entire changes of its arrangements, to say

nothing of numerous minor alterations, can be traced from the scanty records, which are doubtless incomplete. With a curious disregard of its intrinsic beauty and its hallowed associations, it has always been regarded as the legitimate prey of the experimenter and the innovator. For a century and a half it has been forced to adjust itself, like a species of architectural safety-valve or "expansion joint," to the varying needs of the College in every successive phase of development. Sometimes facing east and sometimes west, sometimes containing one apartment and sometimes seven, it has endured such protean transformations as only its sturdy brick walls (two feet thick) could have withstood. Doors, windows, chimneys, cupolas, stairs, passages, porches, partitions, floors, pews, stages, shutters, pulpits, furnaces, have appeared and disappeared, multiplied and decreased, enlarged and contracted, upon, within, and around it, like tricks from a conjuror's box. "Presto, change!" seems to have been its motto. The annals of ecclesiastical architecture scarcely afford a parallel.

And through it all, this patient drudge, this comely but modest University maid-of-all-work, has been rewarded with little save abuse and neglect. Although with the exception of Massachusetts Hall the oldest college building now standing, no tablet of honor adorns

its walls. Although the most beautiful and distinctive of all the earlier edifices, no fluttering beves of sight-seers visit it in the long June days. Although erected under peculiarly interesting and unusual circumstances, no fond traditions cluster about it, as about its neighbors. The very names of its skilled designer and its honest builder are forgotten. Its expected place in the life of the College has been usurped by a larger, newer, and unspeakably uglier structure hard by. Its historical claims as the first Medical School have been eclipsed by its huge and splendid successor miles away.

Even its purpose as a memorial has been obscured by the shadows of the flying years. Who deciphers to-day its proud heraldic bearings, or gives a thought to the long-dead Governor of the Bank of England, sleeping beside his pious consort in a green English churchyard? Close to its ivy-covered walls stands the gaunt trunk of the far-famed "Class Day Tree," once the monarch of the village, now a bleached and naked spar briefly up-tossed on the waves of time. The sundial lately placed before its western portal is another fitting companion; for all three bear silent witness to an immutable law. Without, the turf is rising around its plinth, so that its floor is almost below the ground level. Within, its plaster is stained and its woodwork defaced. Should it

undergo yet another set of alterations and be "re-stored" for the smaller religious meetings of the University? No! Better that it should stand a peaceful and beautiful relic, preserved

from the age that is past,
To the age that is waiting before.

“THE STUDENT IN ARMS”
OLD STYLE

II

“THE STUDENT IN ARMS” OLD STYLE

THE instinct for soldiering is deeply implanted in the human male from earliest youth. The semi-barbaric appeal of martial music and trappings is first felt, and childhood never tires of the drum, the trumpet, the cocked hat, and the flag. Later comes the development of the “gang spirit,” and the growing boy joins eagerly with his fellows in mimic marches, in shouts of command, and in concerted attacks on an imaginary foe. Later still is added the sense of reality and the appreciation of technique, so that the young man revels in the mechanism of a rifle and its possibilities, in the exactitudes of the drill manual, and the minutiae of military etiquette. At this stage he either becomes a critical amateur of drills and parades, or — being at a highly impressionable age — he is easily influenced by the posture of public affairs and the trend of public opinion, and himself joins some warlike organization. That consummation often occurs while he is in college, as may be observed with approval among the undergraduates of to-day.

It was just as observable nearly three hundred years ago. But it was then observed with alarm. For the old-time militia was a very different affair from the intelligent, serious-minded, and hard-working body of the present. "Training days" were inseparably associated with rum; and if our troops swore terribly in Flanders, there is reason to suppose they also did in Massachusetts. It is one of the oddest streaks in the early New England character that the most sober and God-fearing citizens, pillars of the church and patterns of righteousness, if stood up in line with matchlocks in their hands, immediately did their best to fulfil the popular conception of an ignorant, brutal, and licentious soldiery.¹

This inconsistency was largely the result of tradition. When the Puritans left Old England the train-bands there had sunk to a very low state of efficiency. The ancient "Assize at Arms" had fallen completely into decay. The yeomanry were called out hardly once in five years; and even then many paid the required fine rather than attend. Few of the members knew so much as how to load a musket, though it is to be suspected that all knew how to brew a bowl of bishop.

¹ This deplorable bit of psychoanalysis was noted in Cambridge so early as 1641, by the Reverend Thomas Shepard: "Take a poor souldier alone, he is as other men; but when they are got into a knot together, now they grow strong against all lawes of God or men." Sermon on *Subjection to Christ*, 119.

In the new world, after the first sharp pinch of necessity for protection against the savages had passed, military training degenerated in the same way. The company drills, which had begun bravely enough once a week, gradually ran down to once a quarter. The discipline and instruction amounted to almost nothing. The professional drill-masters, who had been specially imported for the purpose, either died off or tired of the job and returned to the more exciting fields of Edgehill, Marston Moor, and Dunbar. A prolonged period of peace added to the demoralization. The arms deteriorated, and were handled with increasing carelessness. Accidents were frequent, sometimes fatal. So were brawls and affrays, a "muster" affording capital opportunities to settle private grudges and pay off old scores. If swords were not precisely beaten into ploughshares, helmets were quite possibly converted into punch-bowls. Training days became little more than authorized occasions for letting off steam. Altogether, in the opinion of the Harvard College authorities, the militia was an excellent thing to keep their young divinity students away from.

The decline of discipline began very early. In 1641, the Reverend Thomas Shepard, minister at Cambridge and chief sponsor for Harvard College, evidently after viewing a drill of the local train-band, was moved to

observe: "Men come when they list to those meetings, and so time is lost; and when they do come, [take] no care, I had almost said conscience, to minde their work in hand, and do it with all their might, as it to which they are called; but Officers may speak, charge, cry, yea strike sometimes, yet [they] heed it not; it 's intolerable! But that Members of Churches, which should be examples to others, should do this, at best it is but brutishnesse." With an inimitable mixture of the old bull-dog spirit and the new religious bigotry, he exclaims: "If there be but English blood in a Christian, he will endeavour to be perfect in his Art herein; but if grace, much more; that he may make one stone in the wall, and be fit to shed his blood, if need be, for the defence of Christs servants, Churches, and [the] cause of God." The clergy, indeed, leaned heavily on the temporal arm, and noted its shakiness with keen apprehension. "'T is not now an artillery day," explains Shepard, alluding to the sermons always preached on those occasions, "only I must speak a word because 't is a thing of moment, and matter of great conscience with me." ¹

Throughout the greater part of the colonial and provincial periods, speaking by and large, the militia system was notoriously ineffectual. Unless stiffened by professional aid from the old world, the native discipline

¹ *Subjection to Christ*, 121.

and tactics savored strongly of the school of Falstaff. Many Harvard graduates have left on record their contempt for the whole business. The Reverend Samuel Nowell (H. C. 1653) complained in his Artillery Sermon of 1678 that the companies drilled "all in a huddle and ridiculously disordered." Eight years later his classmate, the Reverend Joshua Moodey, sought by his exhortations "to revive our Military Discipline, and the Spirit of Souldiery, which seems to be in its wane." Even when the frontier towns were seriously threatened by the Indians in 1695, Nathaniel Saltonstall (H. C. 1659), in command of the garrison at Haverhill, resigned his commission in disgust, saying: "I have laboured in vain; Some go this, and that, and the other way at pleasure, and do what they list. . . . I may not, and cannot, hold out longer, with the usage I meet with."¹ A letter written by Lieutenant-Colonel Francis Wainwright (H. C. 1686) during the Port Royal Campaign of 1707 shows that the morale of the New England troops and the capacity of their officers were then dangerously low. Of the capture of Louisburg in 1745, Dr. William Douglass remarked irreverently that "the Siege was carried on in a tumultuary random Manner, and resembled a Cambridge Commencement."² The news-

¹ Massachusetts Historical Society *Proceedings*, xliii, 518.

² *A Summary, Historical and Political, of the First Planting, Progressive Improvements, and Present State of the British Settlements in North-America*, i, 352 (1749).

paper accounts of the later musters show that they consisted mainly of "elegant entertainments" (mostly spirituous) provided by the commanders, and elaborately staged — and perfectly useless — sham battles, a good deal in the nature of modern "pageants."¹ In 1769, Timothy Pickering (H. C. 1763) asserted that not one officer out of five knew the commands for the manual exercise or the simplest evolutions, and that the men constantly aimed at spectators when firing; he gives a scathingly satirical description of the training days.² Even in the Revolution, de Kalb and von Steuben found they could be most useful as drill sergeants; Lafayette beheld with stupefaction an American regiment take ground to its right "by an eternal countermarch beginning on the left flank"; and Washington almost broke his heart in struggling "to introduce order and discipline into troops who have from their infancy imbibed ideas of the most contrary kind." The fact is that your true-born Yankee does not take kindly to the idea of war; unpreparedness is his long suit; he lays to his soul the flattering unction of a supposed invinci-

¹ The utterly reckless and disorderly nature of these occasions may be inferred from the well-authenticated tradition that on the day of the Battle of Lexington, when the British troops were desperately fighting their way back through North Cambridge, surrounded by swarms of minutemen, a somewhat feeble-witted resident supposed the affair to be an ordinary "muster," and perched himself on a fence to enjoy the accustomed spectacle — where he was shot dead by the Regulars. Paige, *History of Cambridge*, 413.

² *Life of Timothy Pickering*, i, 16 *et seq.*

bility should he "spring to arms"; and if the worst comes to the worst he trusts — usually with success — to his lucky stars.

With the view of the Harvard Corporation the civil authorities quite concurred, though on a somewhat different ground. A great deal of the inefficiency of the militia system was due to the rule of universal service, whereby the whole breeched portion of the population from sixteen to sixty (or even older), the fit and the unfit, the willing and the unwilling, the sober and the drunken, were thrust willy-nilly into the drill-field with every variety of weapon and every degree of aptitude. Still, even then there was an exemption law, and a far more sensible one than at present. It was based, not upon the claims of others, but upon the man's own value to the community. If enforced in recent years, it would have prevented the now too familiar story of the sacrifice of the flower of the nation's youth, while the drones and the sluggards remain safely at home. Under its provisions the leaders and the prospective leaders of the people, the best educated and the most difficult to replace, were not called upon to waste their time in farcical training, or to risk their lives in case of war. Among those specifically exempted were the clergy, the physicians, the magistrates, and the teachers and students of Harvard College.

Nevertheless, so strong was the instinct for soldiering already mentioned, that no sooner was the College started than the students began to waive their rights and volunteer to "train." Such an evasion was far from agreeable to their preceptors, who decreed, among the very first laws of the College (1642): "None shall, under any pretence whatever, frequent the company and society of such men as lead an ungirt and dissolute life. Neither shall any without license of the Overseers of the Colledge bee of the [Ancient and Honorable] Artillery or traine-Band." This oblique yet masterly thrust, perhaps the first rebuke endured by an organization long-suffering but notoriously tough, was followed eight years later by an equally effective piece of sarcasm. The law was now revised to read: "Neither shall any scholar exercise himself in any Military band, unlesse of knowne gravity and of approoved, sober and vertuous conversation, and that with leave of the President and his Tutor."

Such a qualification evidently amounted (as was probably intended) to a total prohibition, since for a century after Harvard was founded there is no hint of an undergraduate joining any company or showing any practical interest in military affairs. The only exception occurs, rather strangely, at the very beginning of the college annals — and is not really an exception at all, since the

student in question, though he took the martial fever at the usual period, had pretty thoroughly recovered by the time he became an undergraduate, owing to the fact that he entered at the very mature age of twenty-six.

This incipient warrior was John Oliver, who arrived from England as a youth of sixteen, with his father, Thomas Oliver, in 1632. Two years afterwards he was chosen corporal to Captain Underhill, who commanded the "ward of two kept every day att the ffort att Boston." He was so proficient that he was soon promoted to sergeant, and was spoken of as "an expert soldier," who showed much "usefulness through a publick spirit." As the fort had "divers pieces of ordnance mounted on it," he was evidently well versed in their use, and may be considered the exemplar and patron saint of the present Harvard Artillery Unit.

But Theology, the overwhelming power of that day, must needs snatch Sergeant Oliver from his culverins and patereros, and nip his military career in the bud. Along with some threescore other early Bostonians, he was suspected of favoring the heresies of Mrs. Ann Hutchinson; and in 1637 the whole group were deprived of their arms and ammunition, lest they, "as others in Germany, in former times, may, upon some revelation, make some suddaine irruption upon those that differ from them in judgment." (Upon the startlingly modern

sound of this quotation, which rings as true to-day as almost three centuries ago, comment is superfluous.) In clearing himself of this accusation, the young fighting-man became so deeply involved in religious matters that he gave up his brilliant professional prospects and entered Harvard College to study for the ministry. But fortune was against him once more. Scarcely had he graduated, ranking (socially) first in the class of 1645, ere he sickened and died.¹

We might here interject that, like Oliver, at least two early presidents of Harvard came to their places in the College with an honorable military record behind them. John Leverett (H. C. 1680) took his seat in 1707 fresh from his labors as one of the "joint commissioners for the superior command, conduct, rule, and government of her majesty's forces on the expedition to Nova Scotia and L'Accadie," in which he also raised and commanded a company of volunteers. He was at the same time lieutenant of the Ancient and Honorables. He even administered the affairs of the College in a crisp and semi-military manner that proved wonderfully effective: the institution thrived and expanded, and the students observed unusual discipline and order. The Reverend Samuel Langdon (H. C. 1740), elected president in 1774, was a chaplain to the Massachusetts forces in the

¹ Sibley, *Harvard Graduates*, i, 102.

extraordinary Louisburg campaign of '45; so that when he made his famous prayer with the American troops before they started for Bunker Hill he was only reënacting a rôle familiar to him thirty years before.

In his display of "usefulness through a publick spirit" by real military service, however, John Oliver left no imitators among the rest of the Harvard students, although some few served in the colonial wars after graduation. Considering our modern experience in these matters, it is a sorry contrast to record that of undergraduates who actually doffed cap and gown to buckle on the harness of war, Mr. S. E. Morison, '08, who has made exhaustive search,¹ can find not one until the Louisburg expedition. For that astounding operation, Benjamin Prescott (H. C. 1747), of Concord, and David Lee (H. C. 1748), of Marblehead, were among the volunteers. Since Lee took the step "without leave," he was degraded fourteen places in the class for his unauthorized patriotism. He survived the campaign, and gamely returned to take his punishment, but died before graduation. Prescott was "killed by the Indians at C. Breton," and thus seems entitled to the honor of being the first Harvard undergraduate who fell in the service of his country.

¹ "Harvard in the Colonial Wars," *Harvard Graduates' Magazine*, xxvi, 554. Many of the facts in the preceding paragraphs have been taken from this valuable study.

This generally non-belligerent attitude of the early collegians is the more noticeable when compared with the enthusiasm shown by their contemporaries in the old country, on whom their conduct was supposed to be so closely modelled. Oxford in particular turned out an inspiring number of student volunteers to fight for their King in the Civil War. One fifth of the undergraduates at Christ Church took commissions; and in 1642 "a corps of four hundred and fifty men connected with the University as scholars or servants had been organized." Still, at the younger university several powerful reasons combined to make the students pacifists. The exemption law (which had no parallel in England), the college orders, evidently reinforced by graduate opinion, and the general ineptitude of the whole militia system, not to mention the difficulty of providing themselves with the necessary "armor, breasts, backs, headpieces, and blunderbusses," kept them even from participating in the trainings of the local Cambridge company.

Parenthetically, that company did very well without them. It is a kind of civic paradox that the town most noted for such a peaceful institution as a university has bulked so large in warlike memorabilia. Here assembled the first American army, and here Washington took command. Here was designed and first displayed the "Cambridge Flag," from which was later evolved our

national standard. Here was the prison-camp of the first hostile force captured in the war for independence. Hence marched the first company of volunteers for our internecine strife. Here was established the first state arsenal, and one of the principal powder magazines, recalled by "Arsenal Square" and "Magazine Street." So, even in the infancy of the settlement, Cambridge was the headquarters of one of the two chief military men of the colony, Daniel Patrick. "This Captain," says Winthrop, "was entertained by us out of Holland (where he was a common soldier of the Prince's guard) to exercise our men. We made him a captain, and maintained him." He was granted the little knoll in the river marshes, ever since called "Captain's Island." The separate Cambridge company was organized the same year Harvard was founded, and was at first commanded by George Cooke, who later went home to fight and die under Cromwell. From that time onward, the local train-band kept up a somewhat celebrated existence, under such noted leaders as Major-General Daniel Gookin, that "Kentish souldier" who was "a very forward man to advance martial discipline, and withal the truths of Christ," Colonel Edmund Goffe of the class of 1690, and the amazingly versatile Major-General William Brattle of 1722, soldier, physician, parson, lawyer, politician, and much else besides, who retained his com-

mand nearly up to the Revolution. Towards that date there are also traces of the very unusual addition of a troop of cavalry.¹

If the scholars could not take part in the training days on Cambridge Common, at their very doors, they could act as spectators, so long as they did not transgress the early college law forbidding them to "bee present at or in any of the Publike Civil meetings, or Concourse of people, as Courts of justice, elections, fayres, or at Military exercise in the time or howers of the Colledge exercise, Publike or private." We can fancy them lining the edge of the training field, and jeering unmercifully at the preposterous evolutions (or convolutions) they were not allowed to share. Sometimes their "sour grapes" attitude became decidedly troublesome. A lively example of their pranks is found in the Faculty Records of July 8, 1760, in the case of Michael James Trollet, who came all the way from Surinam to join the class of 1763, but who did not succeed in staying with them long.

wth Respect to Trollet. Col^o Brattle having made complaint to us, That the s^d Trollet grossly insulted his train^d Comp^a w^h under Arms, by firing a Squib or Serpent among their firelocks when loaded & primed & all grounded, w^rb^y he great^{ly} endangered the limbs @ least of the Souldiers & Spectators; yet he (Coll^o Brattle) having said, That he wou^d not desire the said Trollet shou^d be animadverted upon by us; Provided he wou^d give Satisfaction to him for that his Offence, Therefore agreed, that before we consider

¹ See Paige, *History of Cambridge*, chapter on "Military History."

that his Affair, He (Trollet) shou'd have Time & Opportunity given him wherein to endeav'r to make the s'd Coll'o Brattle a proper Satisfaction.

But just before this date a new idea had begun to pervade the University, very significant of the changing opinion of the times, and a new sector to unfold in the ever-widening horizon of undergraduate activities. The martial spirit of youth, so long repressed, awakened to the pleasing realization that if it could not join the "exercises" of its elders, it might without much trouble indulge itself independently. In other words, if the students were not wanted in the regular militia companies, they could organize one of their own — provided they could get the arms and permission to use them. How their first outfit was obtained is something of a mystery, but the consent of the college authorities was surprisingly ready. Craftily taking advantage of the popular enthusiasm engendered by the start of the expedition which captured Quebec in 1759, the undergraduates presented a petition "for Liberty to exercise Themselves in the use of the Fire-lock at convenient Hours." To this the Faculty agreed, with the following very reasonable "Restrictions or Proviso's": —

Provided, that they make no Use of their Drum any Where, but in the Play-Place,¹ nor That, But in play Time.

¹ As early as 1712, the corner of the Yard now occupied by Phillips Brooks House was officially "assign'd for a place of recreation & exercise for the Scholars." This "playing pasture" proved too small, and was enlarged

Provided also, That They exercise themselves in the use of the Fire-lock in the Play-place only, and That, at no other time, but after Evening Prayers.

Provided also, That they behave themselves orderly in their Exercise, & Particularly, That They explode not any of their Fire-Locks in the College Yard, or Elsewhere (Except Volleys in the Field of Exercise).

Provided also, That after their Exercise, They absolutely clear the College of all their Fire-Arms, so that if any fire-lock be found in any Chamber of the College in the Evening or on the next Day, before Evening Prayers, And also if any Breach be made upon any one of the above Articles, Then the Liberty above granted, of Exercising the Fire-lock, shall be immediately prohibited to Them.¹

Apparently we have here the germination of the first military company at Harvard. Ten years later we find it fully developed. As all nomenclature was then of classical elegance, it was known as the Marti-Mercurian Band — which was, after all, much better than the “Harvard Blues” or the “Langdon Light Infantry” — and its flag, long preserved but now perished, bore the motto “Tam Marti Quam Mercurio.” In 1769 its cap-

in 1737, taking in the sites of the present Stoughton and Holworthy. After the erection of these buildings and the opening of Cambridge Street, early in the nineteenth century, the “Delta” (now occupied by Memorial Hall) came into use. Here an “open air gymnasium” was tried in 1830, and hard by, in 1860, the first gymnasium building was erected. Holmes Field and the new gymnasium, in turn, continued the tradition of an authorized “play-place” within a few hundred feet to the north of the Yard. At all events, Harvard has had a recognized athletic field for over two centuries. See *Harvard Alumni Bulletin*, xviii, 559; Willard, *Memories of Youth and Manhood*, i, 316; *Harvard Book*, ii, 186.

¹ Faculty Records, April 7, 1759. Seven years later, the military drill was influencing college life considerably. The mutineers in the Great Butter Rebellion of 1766 state: “We formed ourselves into regular Ranks, & marched in a Body to his [the President’s] House.”

tain was William Wetmore, of the class of 1770. It had become so well equipped that it boasted a full uniform — a three-cornered hat, a blue coat turned up with white, nankeen “smalls,” white stockings, and top-boots (some accounts say black gaiters) — precisely the “buff and blue” afterwards adopted and made immortal by the Continental Army. Its officers seem to have been a captain, a lieutenant, an “ensign” or second lieutenant, and an “adjutant” or first sergeant. It had in its best estate about a hundred members, with its own field music. Further traditions concerning this epochal organization are lamentably few, but one cheerful detail is still remembered: when the company was dismissed after drill, the regular custom of all trainings was observed by “passing round three or four buckets of toddy.”¹

Up to 1771 the members seem to have followed the ancient system of providing their own arms; but at that date another highly significant privilege was granted. The Great and General Court was then occupying Harvard Hall for its sessions, and was so impressed by what it saw of the Band that on April 16 of that year it appointed a committee to prepare a message to Governor Hutchinson, asking for one hundred of the Province

¹ See Hall, *College Words and Customs* (1856), 247; Massachusetts Historical Society *Proceedings*, viii, 69 n., etc.

arms, "to be deposited in Cambridge for the use of the students of Harvard-College." To this request President Locke, a warm "friend to American Liberty," added his endorsement in a personal letter to the Governor, which might almost have been written in 1915.

The Students in Conseq: of this, have been pressing me to express to you my Sentiments upon it, and to desire you would be pleased to indulge them. As the use of Arms among them is left pretty much to my direction I have encouraged 'em in military Exercise — and so long as they are orderly I can't but think it will be usefull. — They must they will have *some* exercise — if it is not regular it will often be mischievous — I query also whether, considering the present state of the world, it may not properly be looked on as a part of liberal Education which if they do not learn now they will not have so good an opportunity to learn hereafter — many of these youths will in time probably be military Officers, and it must be in a degree incongruous to have the Command of Troops and not be able to give 'em an Example of military skill.

As to the proper care and safeguarding of the equipment he proposes that the arms should be

kept in the hebrew School¹ all together — that the four Officers should have the Charge of delivering them out and of seeing them

¹ Hebrew had been a waning study for years, but was a kind of shibboleth with the Corporation. When the first Harvard Hall was burned in 1764, the rebuilding committee reported "That as the Hall and Library, the apparatus-room, and Hebrew-school, the Kitchen and Buttery were in the old house & were absolutely necessary for the college, it appeared to the committee that those rooms must be made a part of the new building." Accordingly the second Harvard contained a new "Hebrew School" (or as we should say, school-room), a small apartment 15 × 17½ ft., at the head of the stairs to the second floor, next the "Philosophy School" or physical laboratory. Probably very few Hebrew classes were held there, and by 1771 it was evidently disused altogether. See Colonial Society *Transactions*, xiv, 14, 16.

return^d. That each Student should have his name somehow fastned on his Arms — be obliged to use the same Stand — and be responsible for any damages it shall receive.¹

Although the number of arms asked for shows that fully one half the students were drilling in more or less open preparation for the conflict that was now almost inevitable, Hutchinson somehow allowed this dangerous bit of encouragement to go through. The academic arsenal in the Hebrew School was duly established, and continued until the actual outbreak of hostilities; for it is related that on that thrice-memorable “nineteenth of April in ’seventy-five,” one at least of the scholars “hastily equipped himself from the armory of the college company, repaired to the scene of action, and fought gallantly during the day.”²

Meantime, a third significant alteration was taking place in the University’s traditional attitude of pacifism. The College was no longer a mere divinity school; the rule that students must get special permission to “train” had been repealed long ago; and although the Cambridge company had probably looked with disfavor upon “college boys” as members up to this time, yet now, when the whole province was reorganizing its militia, collecting warlike stores, and generally getting ready for trouble, likely-looking scholars had no diffi-

¹ Massachusetts Archives, 581, 596.

² Edward Bangs. See Lincoln, *History of Worcester*, 233.

culty in joining up. The influences noted at the beginning of this sketch were allowed free play. We can trace the whole process from the diary of Samuel Chandler, of Gloucester, a member of the class of 1775.

1773 May 26. I see the Cadets exercise in king Street [Boston] likewise hear the band of Musick which has lately come over.

December 15. I hear from Boston yt there was a Mob this Evening & the Vessels were borded and ye Tea hove overbord. — huzzar —

1774 September 18. At Noon News came from Boston Committee to this Town that the Soldiers had their Packs on their Backs & a Number of Boats on this side of the Common. it much alarmed the People who have kept watch all Night up the River expecting they were a going to Watertown to git the Cannon but they never came from their Camp.

Sep. 20. this afternoon the Company turned out here. they were very full [*sic*]. Capt. Gardner examined all their Arms and made a long Speech on Liberty . . .

Sep. 21. I went to Boston & . . . see the Soldiers fire in the Common. went over to the Neck where they were working in the intrenchments.

October 7, Fryday. last Wednesday I joyn'd the Company in order to larn the Exercises &c.¹

Just how many undergraduates followed Chandler's example is impossible to say. No rolls exist of the Cambridge company, in which they would naturally enlist, up to the day of Lexington and Concord. As that day fell in the spring vacation, most of them were absent; but at least three "scholars" are put down in the "Muster Roll of the company under the command of Captain

¹ *Harv. Grad. Mag.*, x, 375 ff.

Sam'l Thatcher, in Colo Gardner's Regiment of militia, which marchd on the alarm, April 19, 1775." These were John Haven, of Dedham, a junior, and Edward Bangs, of Harwich, and Daniel Kilham, of Wenham, sophomores.¹

Turning for a moment from the subjective to the objective side of the part played by Harvard College on that day, it is worth noting that (according to Jeremy Belknap, a contemporary chronicler) General Gage's plan of operations for the British expedition to Concord was to bring it on its return march through Cambridge, where it was to be met by heavy reinforcements. The combined force was then to entrench on the Common, take possession of the town, and destroy the public buildings, especially the colleges. A general policy of "frightfulness" was to be followed that would result in the submission of the whole neighborhood.² It is gratifying, therefore, to be able to record that, in the persons of these three students, Harvard did what it could to prevent such a catastrophe.

¹ Paige, *History of Cambridge*, 409. Cf. *post*, pp. 59, 60.

² In like manner, at the time of the Battle of Bunker Hill, Howe's real objective was Cambridge. (C. Martyn, *Artemas Ward*, 141 n.) Apprehension for the safety of the College may have prompted the construction of a secondary line of breastworks (the main "Cambridge Lines" were on Butler's Hill, now Dana Hill) which seems to have occupied the little rise of land to the eastward of the Yard, in about the position of the present Quincy Street. Although later "carefully destroyed," this line could be traced for a good many years after the war. See G. Finch, "On the Forts around Boston," *American Journal of Science*, viii, 342 (1824).

This brings us to the very interesting question: How many Harvard undergraduates fought in the Revolution? And the answer must be given regretfully: Mighty few. The new order of things was too unprecedented, and the old prejudices and restrictions were too strong, to permit many of the Marti-Mercurians to sally forth to the actual ordeal by battle. Moreover, candor compels the confession that several who did march up the hill very soon followed the tactics of the celebrated King of France.

President Langdon's most respectful Compliments to his Excellency Genl Washington, certifying that Saml Woodward a Serjeant in the late Colo Gardner's Regiment, & in Capt Fuller's Company, is a student of Harvard College in his last year & begs my Intercession that he may be discharged from his military services.

Monday Noon Sept 18 [1775]

President Langdon's repeated profession of high esteem for his Excellency Genl Washington, asking pardon for troubling him so often with Billets — but hoping for a favorable reception of another Certificate, viz, that John Child an Ensign in Capt Craft's Company of the Regiment lately under Colo Gardner deceased, is a Student of Harvard College now in his last year, & is earnestly desirous of perfecting his public Education.

Monday Afternoon Sept 18 1775 —

President Langdon's most respectful Compliments to his Excellency General Washington; begging leave to certify him that Mr Edmund Foster, now a Serjeant in Capt Pond's Company & Colo Joseph Reeds Regiment stationed at Roxbury, is a Candidate for admission into Harvard College, & desirous of time to revive his acquaintance with the Classics that he may join this Seminary as soon as possible; tho' it will be with regret if he leaves the service of

his Country, yet his Age pleads for your permission to return to his studies —

Saturday Mornng Octor 28 — [1775]¹

The above applications were all granted. It is additionally regrettable that Foster, having invoked the protection of Harvard College to get out of his obligations, incontinently changed his mind and went to Yale.

The careful investigations of H. N. Blake, LL.B. '58,² supplemented by other sources, show that out of nearly two hundred undergraduates in the four classes at Cambridge when the call to arms sounded, scarcely a couple of dozen responded before taking their degrees, and many of them for very brief periods. The following merely joined the hue and cry on April 19, 1775. (Their ages, taken from the Faculty Records, are at the time of entering college.)

Ebenezer Battelle, '75, of Dedham (17) — private in his father's company; service, eight days. After graduating did a little militia work³ in 1777 and 1778.

John Haven, '76, of Dedham (19) — minuteman, Thatcher's company, Gardner's regiment. After graduating, shipped as surgeon on a vessel that was lost at sea.

Edward Bangs, '77, of Harwich (16) — minuteman, same as preceding. "Saved the life of a British soldier, severely wounded, who had been overtaken in flight, and was about to be sacrificed to the vengeance of his captors."

¹ *Harv. Grad. Mag.*, ix, 310.

² "Harvard Soldiers and Sailors in the American Revolution," *Ibid.*, xxviii, 243.

³ It should be remembered that after the formation of the regular Continental Army, the militia acted merely as a "home guard," and took the field only on an emergency, such as the Burgoyne Campaign of 1777.

Daniel Kilham, '77, of Wenham (20) — minuteman, same as preceding; service, two days.

Thomas Noyes, '77, of Newbury (19) — captain of minutemen; service, four days. After graduating, served in John Noyes's company, Johnson's regiment, August to November, 1777, "Northern Department."

Aaron Bancroft, '78, of Reading (18) — minuteman at Lexington; also at Bunker Hill.

The following seniors enlisted immediately; but as there were no more college exercises until after the usual time for Commencement, having good records they received their degrees in course, by "general diploma"; that is, they were "undergraduates" only in a technical sense:

Samuel Dogget, '75, of Boston (16) — 2d lieutenant, Gridley's artillery regiment, May to December, 1775; 2d lieutenant, Knox's artillery regiment, all of 1776; 1st lieutenant, second company, First Suffolk Regiment militia, commissioned October 2, 1778.

Isaac Hall, '75, of Boston (16) — captain of a company of minutemen, April 19, 1775; captain, Gardner's regiment, April to December, 1775.

Benjamin Heywood, '75, of (?), (?) — lieutenant, Nixon's regiment, May to December, 1775; 2d lieutenant (later paymaster), Fourth Continental Infantry, all of 1776; lieutenant and paymaster, Sixth Massachusetts, January, 1777. Burgoyne campaign. A letter from William Weeks, '75, paymaster in Scammel's (Third New Hampshire) Continental Regiment, dated Stillwater, August 6, 1777, mentions "my classmate Haywood" as present. Captain, April 10, 1779. Served to June, 1783.

Jonathan Maynard, '75, of Framingham (19) — sergeant (later lieutenant), Drury's company, Nixon's regiment, May to December, 1775. Returned to College and took his degree in 1776. 1st lieutenant, Seventh Massachusetts, January 1, 1777. Mentioned as present in Weeks's letter above. Taken prisoner at Coverskill in

1778. Exchanged in 1780. Captain-lieutenant, September 20, 1780. Captain, January 25, 1781. Retired, January 1, 1783.

Levi Willard, '75, of Lancaster (14) — surgeon, Reed's regiment, May to December, 1775.

The following lower-class men served for such short terms before graduation that their studies were not seriously interfered with, and they took their degrees in course:

John Child, '76, of Roxbury (16) — 2d lieutenant (ensign), Craft's company, Gardner's regiment, May to December, 1775. See President Langdon's letter above. After graduation, 1st lieutenant (later captain), Jackson's Continental Regiment, May 12, 1777. Resigned October 17, 1778.

John Remington, '76, of Watertown (17) — ensign, Ninth Continental Infantry (Rhode Island), all of 1776; 2d lieutenant, January 1, 1777.

Samuel Woodward, '76, of Weston (16) — minuteman in Lamson's company, April 19, 1775; service, one day. Later sergeant, Fuller's company, Gardner's regiment. See President Langdon's letter above. Discharged September 22, 1775. After graduation, surgeon's mate, Fourth Massachusetts, April 7, 1780. Transferred to Third Continental Artillery, May 24, 1782; service, one month.

Hodijah Baylies, '77, of Taunton (16) — 1st lieutenant, Jackson's Continental Regiment, February, 1777. Resigned November 1. Major and aide-de-camp to General Lincoln, December. Savannah, etc. Taken prisoner at Charleston, May, 1780. Exchanged. Lieutenant-Colonel and aide-de-camp to Washington, May 14, 1782, to December 23, 1783. Yorktown, etc.

Samuel Crosby, '77, of Shrewsbury (16) — surgeon, Twenty-First Continental Infantry, all of 1776 (?). After graduation, surgeon in Massachusetts militia, 1777 to 1779.

Nathaniel Healey, '77, of Kensington (16) — captain in Learned's regiment, May to December, 1775. Captain (later colonel) in Massachusetts militia, 1776 to 1779.

Benjamin Lincoln, '77, of Hingham (16) — Chamberlain's com-

pany, Thomas's regiment, October, 1775. Stationed at Roxbury. Granted leave of absence from College at request of his father, General Lincoln, "to accompany him in the military Service of his Country," and absent from December 8, 1776, to April 8, 1777. Also granted several short leaves, one to four weeks.

Ephraim Smith, '77, of Hollis (17) — sergeant, April 19, 1775; 2d lieutenant, Whitcomb's regiment, May to December, 1775.

Henry Goodwin, '78, of Boston (14) — captain's clerk, brigantine *Independence*, June 15, 1776; service three months, eight days. Same, January 1, 1777, for two months. Returned to College in March, 1777, and petitioned to be restored to his class, on the grounds that "he was shut up in Boston during the whole Time of that Town's being in Possession of the British Troops, & that soon after, he enter'd into the Service of this State by Sea, & was taken by the Enemy & carried into Halifax, from whence he lately made his Escape." Granted March 31. Council warrant for £30 1s. 4d. to him for wages, and allowance for expenses incurred in his escape, October 21, 1777.

Cornelius Lynde, '78, of Brookfield (22) — sergeant, Thayer's company, Fellows's regiment, August, 1775. Hopkins's company, Warner's regiment ("Green Mountain Boys"), January 15, 1776. Quebec Campaign. Fourth ensign, Satterlee's company, Elmore's regiment, April 15, 1776. Discharged February 1, 1777, at Albany. Returned to College several weeks before that date and petitioned to be restored to his class, "offering in excuse for his Absence, that he has been engaged in the Service of his Country, as an officer in the Continental Army." Granted January 1, 1777, "in consideration of the indigence of his Circumstances, his fair character while resident here, & his repeated advancements [!] in the Army, evidencing his good conduct while absent." After graduation, sergeant-major and quartermaster, Simonds's (Berkshire) regiment. To Northern frontier October 12-19, 1780, "on an alarm." Became prominent citizen of Williamstown, Vermont, and pensioned in 1818.

Nathaniel Weare, '78, of Hampton (17) — sergeant, Elkins's company, November 5, 1775. Coast defence at Pierce's Island. Chandler's company, Chase's regiment, New Hampshire militia, September, 1777; service, one month. Stillwater.

Only the following had their college careers actually broken off:

Ebenezer Crosby, '77, of Braintree (now Quincy) (20) — hospital mate, October, 1775; surgeon's mate, "flying [i. e., field] hospital," January, 1777; surgeon to Washington's body-guard, June, 1779. Resigned, January, 1781. Marked in Faculty Records, "left college." Received his A.B. in 1782, as of 1777. Also M.D. (U. of Pa.) 1780, etc.

Richard Perkins Bridge, '78, of Framingham (17) — surgeon's mate, brigantine *Tyrannicide*, March, 1777. Marked "left college." Never received degree.

William Spooner, '78, of Boston (14) — Lincoln's independent company, May, 1775, to 1776. Coast defence at Hingham. Bombardier, Bryant's company, Crane's artillery regiment, March, 1777. Three-year enlistment. Lost arm at Brandywine, September 11, 1777. Hospital. Corps of Invalids, Boston, 1778 to 1780. Pensioned, September, 1782. Received his A.B. in course, apparently by special dispensation. Also M.D. (Edin.) 1785. Overseer, etc.

Job Sumner, '78, of Milton (probably 20) — Bradley's company, Robinson's regiment, April, 1775; service four days. Ensign, Draper's company, Gardner's (Thirty-Seventh) regiment, May to December, 1775; 1st lieutenant, Twenty-Fifth Continental Infantry, January, 1776; Captain, Third Massachusetts, January, 1777. Mentioned in letter of William Weeks, '75, as "my freshman Sumner at College, who is a captain of a company from Milton," Stillwater, August 6, 1777. Major, as of October 1, 1782. Retained as captain, Jackson's Continental Regiment, November, 1783. Served to June, 1784. Received A.B. in 1785, as of 1778. Faculty abates his quarter-bill charges, June, 1777, "as he has been engaged in the Army ever since the Commencement of the War, tho he never appeared to give up his Relation to the College." Died in 1789, and buried in Trinity Churchyard, New York City.

After 1778, when the classes were smaller and the worst of the fighting was over, scarcely a name appears

that can properly be added to this earliest Harvard "roll of honor."

If the Marti-Mercurian Band was kept alive through those bitter years it must have been in a state of suspended animation. That was no time for boys to be strutting in blue coats and nankeen smalls, and the "Province arms" were unquestionably reclaimed for more deadly purposes. After the war, though, it was floated again for a little while, until the great tide of military interests, that had slowly risen, engulfed the whole population, and as slowly sunk, left it hopelessly stranded on the sands of time. Its last known captain was Solomon Vose, of the class of 1787, although zealous antiquaries have traced its existence, in some form, as far as 1793.

There followed nearly a generation of peace. At Harvard the youthful instinct for "playing soldiers" flickered up now and then, especially among the underclass men, but died out again in a haze of speculation. Thus Timothy Fuller of 1801 in his diary:

1798 Aug. 31. Our Coffee club met at 9 o'clock P.M. to discuss the expediency of forming a Mavortian band among the students of the lower classes, for the seniors refuse to take any part in it. After considerable debate it was decided to advocate the plan and we subscribed to the proposed articles.¹

But nothing came of such echoes of the brave days of old.

¹ Cambridge Historical Society *Proceedings*, xi, 35.

When the period of strained relations with Great Britain arrived, however, and fresh war-talk began to be heard, the influence of public opinion was soon felt once more among the susceptible undergraduates. And now a really remarkable college company arose, fostered by both State and University authorities, and marking the beginning of what may be called the modern era of military affairs at Harvard. This was the famous Washington Corps. It seems to have owed its inception to Elbridge Gerry, then Governor of Massachusetts, who as a member of the class of 1762 had doubtless joined in the formation of the Marti-Mercurian Band and seen what collegians could do with military drill. In December of 1811 he arranged for a grant of arms from the State, and the company was soon in working order. There were at first about eighty members, only seniors and juniors over five feet five inches in height being eligible. Adam L. Bingaman, '12, was the first captain, Jonathan M. Wainwright, '12 (afterwards Bishop of New York), lieutenant, and George Thacher, '12, ensign. The uniform was an ordinary black hat, blue coat, white waistcoat, white pantaloons, white gaiters, and white belt — a very dressy combination. The officers, all seniors, wore military chapeaux, sashes, and sabres.

In the autumn of 1812 the new company was presented, amidst enormous enthusiasm, with a white silk

"banner," embroidered, painted, and gilded by the young ladies of Cambridge. This very elaborate flag was almost square, bearing at the top the old motto, "Tam Marti Quam Mercurio," and at the bottom the new title, "Washington Corps." Emblematic devices filled the centre. The standard had a varied history. During the life of the Corps it was treated with the utmost reverence; and the formality with which it was brought forth from the middle entry of Holworthy for a parade was one of the most impressive ceremonies of the occasion. When the days of its pride were done, it was left to moth and dust in a forgotten corner. Later, it was haled forth to become an object of derision. Old and tattered, it figured among the miscellaneous oddments carried in the mock parades of the "Navy Club," as late as 1846. Finally it disappeared altogether. In 1886 its horribly mutilated remains were discovered and identified in the rooms of the Porcellian Club, where it now reposes as one of their chief treasures.¹

During the War of 1812, the Washington Corps exhibited the utmost activity. (A few of its members are known to have enlisted,² but the undergraduate roll of honor for this conflict has never been completed.) Its

¹ Photographs of the flag in its present shape, and a "reconstruction" of its original appearance, are in the possession of the Massachusetts Historical Society. See its *Proceedings*, 2d Series, iii, 8.

² H. N. Blake, "Harvard in the War of 1812," *Harv. Grad. Mag.*, xxvii, 525.



FLAG OF THE WASHINGTON CORPS, 1812

drills were carried on, true to tradition, at or near the historic "play-place" of 1759. A graduate of 1818 long afterwards recalled its spirit, precision, and discipline, excelling any of the regular militia companies in the neighborhood. It became so renowned that it regularly gave exhibition drills in Boston. That of July, 1814, under Captain Martin Brimmer, excited particular admiration. "The firings," says a contemporary account, "were the closest we have ever heard." On another occasion, at the Navy Yard, the volley was "as one gun." On the arrival of the news of peace, in 1815, "the H. W. Corps paraded & fired a salute; Mr. Porter treated the company" at his famous tavern just on the Cambridge side of the present Anderson Bridge.

Besides the Boston drills, a gala day was held in October for several years, when the company marched to Medford to be reviewed and entertained by Governor John Brooks, one of the most popular old heroes of the Revolution. In 1816 President Monroe visited Harvard. He was escorted from Boston by the Washington Corps and given a complimentary review, which so delighted him that on the spot he offered its captain, James W. Sever, '17, a cadetship at West Point. Sever regretfully declined, for family reasons, and afterward became commander of the Boston Cadets instead.

In 1821, when the martial enthusiasm of the country

was on the ebb once again, the Washington Corps, so far from sharing in the general decline, received a new and powerful impetus in the shape of the visit to Boston of the West Point Cadets. Their organization, their uniform, and their clock-like precision made a profound impression on the collegians, and were all eagerly copied. The next summer the Corps was remodelled. A second grant of improved arms was obtained from the State. The force was turned into a battalion of four companies, with about one hundred and twenty men, commanded by a lieutenant-colonel. The first incumbent was George Peabody, of '23. The old-fashioned single-rank formation was changed to double rank, based on "Scott's Manual." The uniform was made to conform as nearly as possible to the West Point style. Fortunately, the college dress then prescribed for undergraduates was a dark gray Oxford mixed, single-breasted coat, with claw-hammer tails. Over this were put the white cross-belts and waist-belt of the cadets. The officers wore the same coat, enlivened with gilt buttons and gold epauletts, white trousers, black shako with fountain plume, scarlet sash, white sword-belt, and straight sword.

Hard and constant drills, by squad, by company, and by battalion, produced an astonishing proficiency. In their zeal, the Washingtonians even attempted to pitch a practice camp near the river-bank, about on the site of

Longfellow Park. Here, in the single afternoon permitted them, tents were set up and struck, guard mounted and relieved, and a "practice" meal issued; but the time proved too inadequate, and in a couple of years the experiment was given up.

In 1825 a third loan of arms was negotiated, and the Corps was actually recognized in the College Catalogue: "Military exercises are allowed on Tuesdays and Thursdays from 12 to 1 or after evening Commons, with music not oftener than every other time, and liberty of parading on the afternoon of Exhibition days." The limitation on music was to keep down expenses: it was one of the boasts of the Corps that their annual assessment was not over five or six dollars. For several (college) generations the field music emanated from two noted local characters, "Old Simpson" the drummer, and "Old Smith" the fifer. "Fifty years ago," said John Holmes (H. C. 1832) in 1875, "the rub-a-dub of the College Company in the September evenings was considered by children as natural to Cambridge Common as the chirp of the crickets."¹ On formal parades a brigade band of twenty-eight pieces was hired.

These parades on the three annual "Exhibition days" of the College, in October, May, and July, — the term then continued till the last of August! — took the place

¹ Article on Hollis Hall, in *Harvard Book*, i, 67.

after 1822 of the expeditions to Boston and elsewhere. They were justly famed, and occupied all the afternoon, probably much more agreeably for the spectators than the interminable "speaking of pieces" in the hot and crowded chapel all the morning. The battalion performed evolutions of the highest accuracy in the Yard and on the Common,— the old training field,— one of the favorite "stunts" being to march, company front, the whole length of the Yard and halt in front of Holworthy, when the line seldom required more than two or three inches to dress.

In 1828, under the command of Robert C. Winthrop, freshmen were admitted to the ranks, and few seniors took part, unless officers. The honor of leading the organization was very eagerly sought. It used to be said that the three greatest prizes of college life were to be the first scholar, the most popular man, and the commander of the Washington Corps. The requirements for an officer were very severe. In accordance with the true critical spirit of undergraduates, the candidate not only must have all the technical knowledge and capacity for command, but must look the part to perfection. Away with the short and puffy, with the spindling and anæmic! Only the thoroughly well-set-up had a chance — a rule of real benefit to the college physique, then not encouraging. Indeed the drills, save a little football

in the autumn, were about all the outdoor exercise the students had.

The election of officers took place in early July, and was of the most ceremonious character, taking up an entire day. The higher ranks were voted for at Porter's tavern in the morning, and the fortunate winners met in the afternoon in Holworthy to select their subordinates; the announcement and investiture of the new incumbents followed, and a formal dinner finished the evening. Much lobbying and caucusing preceded an election. Cliques and factions fought spitefully for their favorites. As time went on, the pernicious influence of "college politics" increased to such an extent that it was the chief cause of the break-up of the organization.

This event was hastened by the general decline in the reputation of the militia during the eighteen-thirties; and the finishing touch was given by one of the periodic effervescences of the students — the "Great Rebellion of 1834." Among the disorders which signalized that outburst, some of the battalion's muskets were thrown from the windows of the armory in University Hall and much damaged. In consequence the usual July election of officers was forbidden by the President (Quincy); and when the collegians assembled after the autumn vacation of that year, they found that all the equipment had

been returned to the State Arsenal at Cambridge.¹ There was not enough interest left to protest, or to revive the organization. Its requiem was sung by B. D. Winslow, Class Poet of 1835:

That martial band, 'neath waving stripes and stars
 Inscribed alike to Mercury and Mars,
 Those gallant warriors in their dread array,
 Who shook these halls, — O where, alas! are they?
 Gone! gone! and never to our ears shall come
 The sounds of fife and spirit-stirring drum;
 That war-worn banner slumbers in the dust,
 Those bristling arms are dim with gathering rust;
 That crested helm, that glittering sword, that plume,
 Are laid to rest in reckless faction's tomb.²

Another period of inactivity supervened. The short and unpopular Mexican War made not a ripple on "the fount of the Muses." Neither, strange as it seems at first glance, did that tranquil pool reflect the ominous

¹ The last appearance of the arms was just before Commencement. On August 11, 1834, occurred the notorious attack on the Ursuline Convent at Somerville by a fanatical mob, who burned the building. In the excitement that followed, it was bruited that the Roman Catholics of the neighborhood intended to retaliate by demolishing Harvard College. Whereupon a mixed crowd of students and graduates gathered in the Yard, procured muskets, and spent the night in alarms and excursions. They were led by Franklin Dexter, '12, with ex-Commander Robert C. Winthrop as lieutenant. Of course the affair proved a fiasco, not the least ignoble of its details being that the dauntless band of defenders deputed the dangers of advanced picket and chief scout to one of the kitchen waiters. The muskets were evidently taken from the college armory; but the Washington Corps was by this time so disorganized that it took no concerted part in the proceedings. *New England Magazine*, New Ser. ix, 441; Pierce, *Memoir of Sumner*, i, 128.

² See Hall, *College Words and Customs* (1856), 247; *Harvard Book*, ii, 375; *Harvard Register*, i, 55; etc.

clouds rolling up from the southward in 1860. Yet even in this case the general rule was holding good. Though there was much excitement in the community on the subject of secession, the idea of actual bloodshed was almost incredible. Besides, if active revolt should break out, was there not the regular army to cope with it? The people, then, made no such active and prolonged preparations as were made ninety years before — and the students followed suit. To a young graduate of the Harvard Law School, James Prentiss Richardson, LL.B. 1855,¹ belongs the everlasting credit of organizing the Cambridge company of volunteers who, on the morning of April 17, 1861, marched first in response to Lincoln's proclamation issued two days before. But though his company was the earliest of its kind in the country, he had not even proposed it in the papers until January 5, 1861; and not until April 13 had he succeeded in enlisting the sixty men required for its formal acceptance by the State. Several Harvard graduates were in its ranks, but not a single collegian.

Electrified by the amazing news that Sumter had been fired upon, and with the splendid example of Richardson and his citizen soldiers fresh before them, the College sprang into warlike action again. Early in

¹ He inherited his martial spirit from his great-grandfather, Moses Richardson, who was one of the Cambridge militia killed at the Battle of Lexington. Paige, *History of Cambridge*, 413, n.

May, owing in great measure to the energy of Amos A. Lawrence, '35, then Treasurer of the University, the Faculty provided arms and instructors, the playing-field was once more turned into a Campus Martius — how appropriately is our greatest military memorial placed there! — the little octagonal gymnasium close by (now the carpenter's shop) was utilized as an armory, and the undergraduates began drilling assiduously. "Hardee's Tactics" bulged from every pocket. In the course of a few weeks came the rumor that the State Arsenal on Garden Street was to be attacked by a mob, and the student corps undertook its defence. The semi-hysterical state of collegiate feeling turned the episode into a broad and rather discreditable farce. A raid by the mythical mob itself could hardly have been more disastrous to the premises to be guarded. *Quis custodiet custodes?* A writer in the "Harvard Magazine" three years later inquired reminiscently:

Are there not some still with us who can recall the Gymnasium turned into an armory, the Delta glittering with bayonets, and the gallant squad of Harvard Cadets marching up to the defence of the Arsenal? The relief of the guard there on duty, and the three days of danger, picket-duty, fun, and frolic? Are there not, even at this very moment, student-soldiers whose consciences smite them as they look above the mantel, and see there booty ill-gotten, property which somehow or other followed them home from the Arsenal, of course unknown to them and much to their displeasure?

Perhaps on account of the levity exhibited on that occasion, the college authorities made no attempt to re-

sume the drill after the summer vacation. Nor was it offered the following year. The students, with the war in full swing, chafed with impatience. Those who were thinking of enlisting desired sufficient preliminary training to go as officers, "and do not consider it their duty to go as privates." In the autumn of 1863, therefore, the whole College signed a petition to the Faculty for drill as an extra branch of the regular curriculum. But Lawrence had now retired, arms were said to be difficult to get, and the petition died in committee. In March, 1864, the seniors, disgusted at this policy of "strict neutrality," took the matter into their own hands and formed a Drill Club, which met in the old shed (behind College House) used by the citizens' home defence unit, the "Cambridge Washington Guard." After several elections and resignations, the following officers were secured: captain, H. J. Huidekoper, of Meadville, Pennsylvania; 1st lieutenant, S. Storrow, of Boston; 2d lieutenant, E. R. Howe, of Cambridge; clerk, C. F. Davis, of Cambridge. Not very much more seems to have been accomplished, however.¹

Indeed, the bone and sinew of the College had long before this left Cambridge for active service under one or the other of the two opposing flags. There was no such sudden exodus as in the Revolution. The usual

¹ See various contemporary items in the *Harvard Magazine*, from June, 1861, to April, 1864.

idea of "a short war" was at first fondly indulged in; and up to June, 1861, only eleven Northerners and twelve Southerners had enlisted in their respective armies. But the outgoing stream grew ever greater, and in 1863 was augmented by the draft, which severed the connections of fifty-seven students at a single stroke. The latest, and probably the final, summary, made up in 1911,¹ shows that out of the classes from 1861 to 1868 inclusive (counting in the Lawrence Scientific School), two hundred and forty-nine men served in the army or navy on the Union side, of whom seventy-three never received their degrees. Thirty-nine undergraduates gave their lives for their country.

But we have already crossed those debatable marches that separate the quaint and the traditional from the cold accuracies of modern historical statistics, and reached ground covered by the memories of graduates by no means the oldest living.² The student in arms, new style, rises before us, and eclipsed by his glorious record the teller of ancient tales must hold his peace.

¹ F. H. Brown, "Harvard University in the War of 1861-65," *Harv. Grad. Mag.*, xix, 749.

² An interesting page might be written concerning the well-remembered "Harvard Rifle Corps" of 1875-78 — apparently the only instance where the undergraduates drilled spontaneously, uninfluenced by public opinion or public emergency.

THE HISTORY OF "COMMONS"

III

THE HISTORY OF "COMMONS"

PART I

BETWEEN the Continental and the English universities no difference has been more frequently remarked than their respective attitudes toward the life and morals of their students. In France, Germany, and Italy (at least after the Middle Ages) the specialist's view has prevailed: the business of the university is to teach, and it sticks strictly to business. Once the youth has left the lecture-room, the authorities have no more concern with him until he enters it again. In England, on the other hand, the college not only educates but stands *in loco parentis* to those entrusted to its care. The student must live in quarters provided for him — and by the same token must be in his rooms betimes every night — he must eat at the common table; he must attend the daily chapel; he must demean himself seemly in public; he must even wear (or make a pretence of wearing) a prescribed costume. The parental principles of the public school, in short, are carried up into the university.

These principles were faithfully followed by the Englishmen who founded the first college in what they termed, and not without reason, their New England.

Grimly, and with infinite pains, they shouldered their racial burden of tradition, and set their feet in the path of precedent. We can see to-day that it would have been far easier, at any rate in the beginning, to adopt a modification of the Continental plan, and let the students live with the townspeople, who would have watched conscientiously over their bodily and spiritual welfare. But the first settlers had all the passion for conventionality that has distinguished your true-born Briton in every age and clime. Indubitably, had it then been the custom at home, the Pilgrim Fathers, battling for dear life with the wilderness and the Indian, would have paused every evening to dress for dinner. Clearly, then, their college must be after the exact model of the colleges they had left behind them.¹ (Savage estimates that when Harvard was established there were some forty or fifty Cambridge graduates, and nearly as many Oxford men, in the immediate neighborhood.) They must have all the old parental restrictions—to say nothing of several new ones suggesting the tremulous solicitude of a maiden aunt.

As a result, they instantly plunged their educational venture into all manner of unnecessary difficulties.

¹ A traveller's account of Cambridge in 1689 states admiringly: "There they have erected an *University*, which began anno 1642, and wherein things are managed *pro more Academicarum in Anglia*." Mass. Hist. Soc. *Collections*, III, i, 100. It will be noted that the writer considers the University to have begun when Commons were established. See *post.*, p. 90.

Their insistence on a common table, in particular, proved a terrible handicap. Sordid and needless as it now appears, the squabble with the butcher and the baker in the attempt to run a restaurant was the first and most formidable rock which Harvard College encountered after its launching, and on which it very nearly split and foundered.

The sprightly fancy of Oliver Wendell Holmes has pictured the first students:

And who was on the Catalogue
 When college was begun?
 Two nephews of the President,
 And *the* Professor's son,
 (They turned a little Indian by,
 As brown as any bun;)
 Lord! how the seniors knocked about
 That freshman class of one!

But no pen short of Mr. W. S. Gilbert's could do justice to the first Faculty. This educational Pooh-Bah was named Nathaniel Eaton, and in his own person united the offices of President, Treasurer, Secretary, Dean, Bursar, Professor, Tutor, *and* Steward. He was a smooth-spoken, well-dressed man in the early thirties, "of learning and talents," who had just arrived at Boston with his brother Theophilus, a wealthy London merchant who shortly became the first governor of the New Haven Colony.

Under such propitious auspices he was put in charge

of the embryo college, but "marvellously deceived the expectations of good men concerning him." He soon showed himself to be scandalously avaricious, and "his cruelty was more scandalous than his avarice." (It was afterwards discovered that he was more than half a Jesuit.) For two years he bullied and starved the wretched children under his governance, "the sons of gentlemen and others of best note in the country," until, his flock waxing and his duties increasing upon him, he doubled the teaching force by engaging an "usher," or sub-master. Of this Mr. Briscoe, for such was his name, we know nothing save that he was "a gentleman born." We may surmise that he was gentle in heart as well as in birth, and that he took his pupils' part against the brutalities of his superior officer. At all events, Eaton fell foul of him with "a walnut tree cudgel, big enough to have killed a horse," and beat him into insensibility.

One longs for a Dickens to dramatize the scene. It was Nicholas Nickleby at Dotheboys Hall, in the still more sinister setting of two hundred years earlier. Only Nicholas and Squeers were fiction, and this was history — the history of education, save the mark!

The thing made a great stir, as well it might. Eaton was summoned before the magistrates — the sole recorded instance of the head of Harvard College appear-

ing in the dock. He was proved an arrant rascal. Besides his flagrant breach of the peace and his false pretences in religion, the fellow was in debt to the enormous amount of a thousand pounds, mostly obtained by fraudulent bills of exchange. Yet so great was the veneration¹ of the little Puritan commonwealth for learning and all its exponents, that he would probably have got off with an admonition, if it had not been for the evidence as to the food he had been giving his pupils.

Oh, that food! Although Eaton received "large allowance" for "dieting," it was mostly "porridge and pudding, and that very homely," served "without butter or suet." (Members of Harvard's oldest club will notice that the College was founded on Pudding, and that successive strata of that pabulum crop out at frequent intervals in the course of this survey.) His wife, on whom Eaton tried to "put it off," admitted that "the flower was not so fine as it might, nor so well boiled and stirred"; that "the fish was bad"; that as for "beef, they never had it"; and that her spouse "would call

¹ Eaton had the prestige of being a pupil of the celebrated Dr. William Ames at the University of Franeker in Holland (abolished by Napoleon). In 1637 he was granted the extraordinary privilege of exemption from the tax rate, "leaveing it to his discretion what he will freely give towards these charges." Just before his downfall he was considered so indispensable that he was granted 500 acres of land "if hee continew his employement with us for his life, to bee to him & his heires." Colonial Society *Transactions*, xiv, 63. Strong pressure was brought to bear from influential sources against trying him at all.

sometimes for butter or cheese when I conceived there was no need of it; yet the scholars did otherways apprehend." Poor scholars! They would "send down¹ for more meat," but were "denied when it was in the house." Perhaps the most telling confession of all was that they were "wanting beer betwixt brewings, a week or half a week together." As for the accusations that "the swine and they had share and share alike," that they received "hasty pudding with goat's dung in it, and mackerel served with their guts in them," these things she denied; but one must deny something. In the outcome Eaton fled—fined, deposed, and excommunicated—first to Virginia and then back to England (where after divers discreditable adventures he died in a debtor's prison, the object of universal detestation), and Harvard College established a reputation for poor food that clung to it for more than two centuries.²

Matters mended somewhat after this. In the genesis of the University, the first dark chaos was followed by a dawning light, and the beginnings of order appeared like dry land above the waters. A real president was installed, the Reverend Henry Dunster, a recent graduate

¹ This seems to imply that the children ate in some sort of dormitory (perhaps locked in) on the second floor of Eaton's house, since there is no probability that it had a cellar kitchen.

² For a full account of Mr. and Mrs. Eaton and their evil courses see Savage, *Winthrop's History of New England*, i, *308, from which the above summary has been constructed.

of Magdalen College, Cambridge,¹ and a kindly conscientious man, who wore himself out in his efforts to improve the condition of the infant seminary. The first college building, as distinguished from Eaton's own dwelling, was finished, and appeared to the gratified colonists "very fair and comely within and without, having in it a spacious hall, where they daily meet at the Commons, Lectures, and [religious] Exercises."²

Of this hastily and cheaply constructed edifice, which unfortunately began to fall to pieces only fifteen years after it was erected, we have no satisfactory description, but one point is clear. It was not the rude log school-house that might have been expected. Indeed it was "thought by some to be too gorgeous for a Wilderness."³ True to their British craving for conventionality, the founders had somehow managed to put together, with no better materials than the virgin forest afforded, a full working model, so to speak, of a contemporary English college — small and roughly made, but complete in all

¹ Dunster was only thirty-one when he took charge. It helps the historical perspective to recall that among his contemporaries at the English Cambridge were Henry More, Ralph Cudworth, Jeremy Taylor, and John Milton.

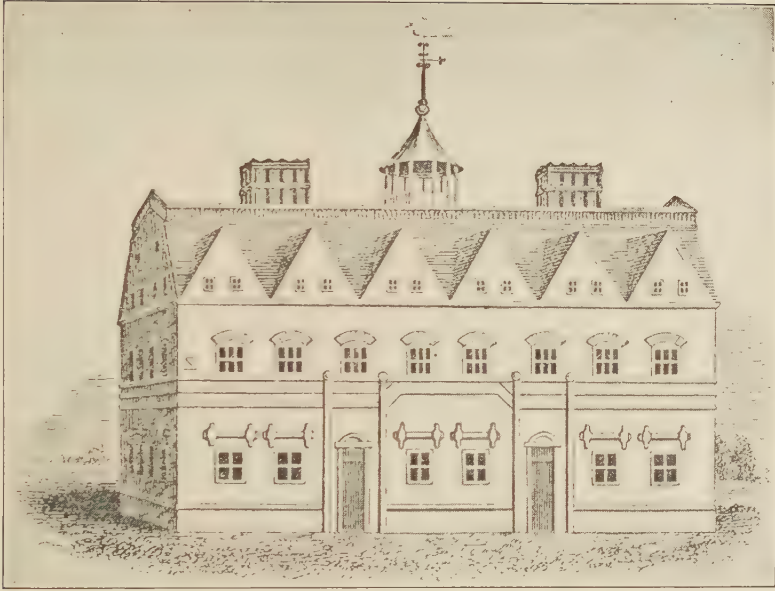
² Dunster, *New England's First Fruits*. See *Harv. Grad. Mag.*, xviii, 389. This description is dated September 26, 1642, and must have been written as soon as the building was sufficiently completed for occupancy. Cf. *post*, p. 90.

³ Edward Johnson, *Wonder-Working Providence of Sion's Saviour in New England* (London, 1654). Edition of J. F. Jameson (1910), 201. Johnson was captain of the train-band at Woburn.

its parts (except a chapel). Especially, the painstaking accuracy with which they embodied in this little building the whole layout of the traditional dining system is amazing. Dunster in his "Orders" specifies: "To the butler belongs the cellar and butteries, and all from thenceforward to the furthest end of the Hall, with the south porch; to the cook the kitchen, larder, and the way leading to his hatch, the turret, and the north alley unto the walk." The important adjunct of the brew-house probably stood close by, as it certainly did in later days. Dunster mentions "the brewer" along with "the baker." Our fathers, we may observe, closely associated the thirst for learning and that for beer; at the 1703 Commencement the few graduates present absorbed no less than fourteen barrels.¹ Had the parching sirocco of Prohibition arisen earlier, drying up the very sap of erudition — but the academic mind turns away in horror.

All these details of dining equipment were repeated, on a larger scale, in the first Harvard Hall, completed in 1682, and when that was burned in 1764, still more amply in the second, and so continued up to the nineteenth century. In fact, the elaborate system of English Commons could hardly have been administered without

¹ Also a barrel of cider and 18 gallons of wine. Steward's Account Book. See *Harv. Alumni Bulletin*, xxii, 303.



THE FIRST HARVARD HALL

The Commons Hall was in the middle of the ground floor, and the buttery in the front right-hand corner, with the kitchen behind it.

them all. And it is strange to see how scrupulously that system was for a long time carried out.

The College Butler was originally an important personage, usually a prominent young graduate.¹ He was a sort of major-domo, not only lording it in the buttery and cellars, but serving as head janitor, ringing the college bell, and "waiting on the President and the Professors for their orders." Like those worthies he had a special freshman told off to assist him; for the freshmen, again after the English tradition, were "fags" not only for the seniors but for all the officers too. In the buttery, the link between the kitchen and the hall, the names of all those to be fed — that is, every man jack in College — were posted on large boards, the earliest form of catalogue.² To "enter one's name in the buttery" therefore was the equivalent of matriculating or "registering." As a corollary, the Butler kept track of all absences, excuses, suspensions, fines, and other punishments, assigned the students' rooms, kept the books, and seems to have had the principal hand in making out the term-bills.

¹ Andrew Eliot of the class of 1762 was simultaneously Butler and Librarian; later Tutor and Fellow of the Corporation. A. P. Peabody, *Harvard Graduates Whom I Have Known*, 149.

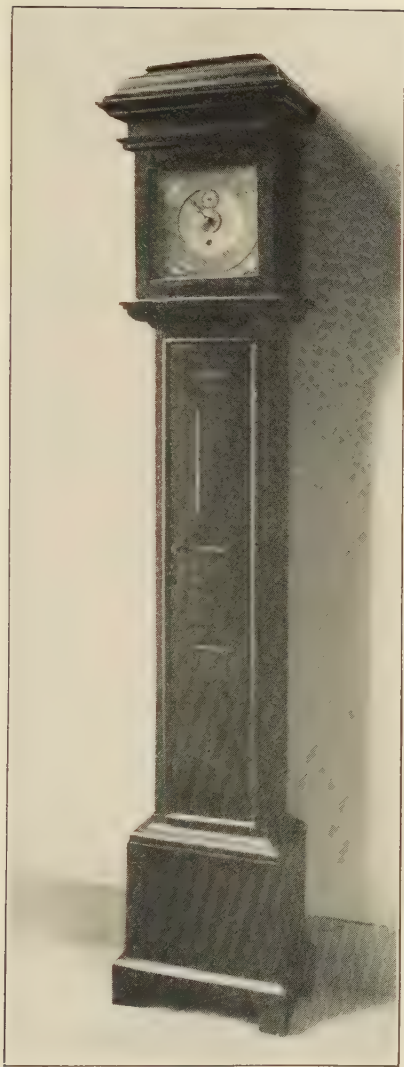
² In the inventory of "Butterie Utensills" made in 1674 occurs: "3 tables to putt names on." College Book, i, 79. It will be remembered that up to 1654 the college course, after the English model, was only three years in length.

The buttery in fact was the precursor of "the office." From its control of the "sizings," or orders for extra food, it also developed into a species of canteen, at first selling sweetmeats, fancy groceries, and cider; then stationery, sporting goods, and small sundries — all at a handsome profit which the Butler always pocketed. After the Revolution this commercial side developed to such proportions that the buttery and its stock-in-trade were transferred to Massachusetts Hall close by. Here it degenerated into a kind of Rialto for idle undergraduates, and became a nuisance — or something worse. "Wine and stronger drinks," says Dr. Peabody, "were for sale to the students, — an arrangement sagaciously devised to prevent them from purchasing such commodities at shops and taverns, and of great convenience to the young men, as such purchases were charged on their term-bills. At least one fourth of every class became sots." ¹

Finally the mischievous influence of this perverted institution was recognized; and in 1800, its proper functions having been superseded by more modern machinery, it was abolished altogether. The only vestiges of it that remain are its tall clock, presented in 1763 by several graduates ² and now in the treasure-room of the

¹ *Harvard Graduates Whom I Have Known*, 79.

² Samuel Dean, tutor, Stephen Sewall, A.B., and Andrew Eliot, A.B. S. A. Eliot, *Historical Sketch of Harvard College*, 173. Humorously described



THE BUTTERY CLOCK

Works made by the celebrated Tompion of London
about 1700. The case is merely painted pine.

Widener, and some of the old "buttery books" preserved in the college archives. A printed catalogue replaced the buttery boards, and the once indispensable Butler, whose glory had long been decrescent, faded into limbo.

The actual purchase and supervision of the food, seemingly considered quite a secondary matter, was at first deputed to the Steward.¹ To give an account of the stewardship would be one of the most curious studies in the history of the University. Originally the Steward was a lowly soul, the mere fraction of an official, being in point of fact also the cook.² As business increased, he confined himself to the marketing and accounting. This naturally led to the general oversight of the financial details of the institution, the Steward acting as the immediate agent of the Treasurer. In that capacity his status waxed as the Butler's waned, until by 1765 he was receiving a salary of £150 per annum, while his former superior, the Butler, had only £65 (the same as the in Cazneau Palfrey's article on Massachusetts Hall, *Harv. Register*, iii, 225. Cf. Corporation vote of December 7, 1772: "that the pendulum watch belonging to the College, which some Years ago was committed to the Care of Professor Winthrop, be placed in the Buttery, under the Care of the Butler." College Book, vii, 249.

¹ It is a fine sample of the real British feeling for hereditary office that, from the time the College was fairly set going until the year 1750, this post was held by five successive members of the Boardman family of Cambridge.

² See a very delightful article by A. Matthews, '82, in *Harv. Alumni Bulletin*, xxii, 301.

Librarian!). His fiscal work became so important that he was relieved of his duties as purveyor, thus losing his original function entirely. When the sadly diminished Butler was finally snuffed out, his position became more onerous than ever. All through the nineteenth century he remained one of the most responsible officers of administration, and in 1874 his title was changed to Bursar.

The hall was the architectural masterpiece and central feature of the building. President Dunster complained that the original building committee, "when they had finished the Hall (yet without screen, table, form, or bench), went for England, leaving the work in the carpenters' and masons' hands without guide or further director, no floor besides in and above the hall laid, no inside separating wall made, nor any one study erected throughout the house. Thus fell the work upon me, Oct. 3, 1641." A year later he had so far completed the dining arrangements that "the students, dispersed in the town and miserably distracted in their times of con-course, came into commons into one house, September, 1642." Thereupon the poor President, already acting as instructor and as architect, found "a third burden upon my shoulders — to be their steward, and to direct their brewer, baker, butler, cook, how to portion their commons, a work then acceptable to all sides, easing as well

Mr. Samuel Willis fellow commoner St. John's				
15	1	49	By balance	004 16 09
14	4	50	By commoners and St. John's	003 04 01
			By commoners and St. John's	000 12 16
			By commoners and St. John's	000 02 08
			By commoners and St. John's	009 00 00
13	7	50	By commoners and St. John's	002 16 04
			By commoners and St. John's	003 12 08
13	4	50	By commoners and St. John's	004 04 10
			By commoners and St. John's	000 15 10
			By commoners and St. John's	009 07 08
13	10	50	By commoners and St. John's	007 13 08
			By commoners and St. John's	000 15 10
			By commoners and St. John's	000 15 00
			By commoners and St. John's	000 07 08

PART OF A PAGE FROM THE STEWARD'S BOOK OF 1650

"Mr. Samuel Willis fellow commoner" was the first in social rank of the Class of 1653.

their parents a third part of their charges as the students of endless distractions.”¹

Dunster's concern at the lack of a “screen” shows again the astonishing exactness with which it was thought necessary to follow the English model. In the long dining-rooms of the transatlantic colleges the screen extended across the lower end, near the entrance. It was often beautifully carved, and sometimes supported a musicians' gallery. The space behind the screen was “the entry,” where the waiters and servants did their work. Here the food was received from the buttery-hatch and portioned out, hands and dishes were washed at a “lavatory” or sink, and doors led into the kitchen, the buttery, the pantry, and occasionally into adjoining buildings or cloisters; so that the entry was quite a thoroughfare.² We must remember that a separate

¹ From a recently discovered letter of Dunster's, dated December, 1653. Facsimile in Colonial Soc. *Transactions*, iii, 420 (spelling modernized). The President was not over-blowing his own horn here. Among all his services to the nascent university, none afforded more general satisfaction and relief, after Eaton's criminal mismanagement, than his establishment of the commissariat on the regular time-honored basis. His contemporaries, in their commendations of him, gave special prominence to this point. Shepard described him as “a man, pious, painful, fit to teach, and very fit to lay the foundations of the domestical affairs of the college”; while Johnson, after referring admiringly to his gift of tongues and his orthodox preaching, added, “and besides he having a good inspection into the well-ordering of things for the Students maintenance (whose commons hath been very short hitherto) by his frugal providence hath continued them longer at their studies than otherwise they could have done.”

² Cf. Turner and Parker, *Domestic Architecture of the Middle Ages*, iii, 50. In technical language a “bench” was a “form” with a back to it.

"serving-room" is a very modern improvement in the art of dining. The screen in fact persisted up to the time Memorial Hall was built, though in that case it projected from the side wall, as a more central location.

In the dining-hall each table held two "messes" (appropriate term!) of eight or ten men apiece. The students sat by classes, and at first in their order of social precedence as established by the catalogue, the most aristocratic receiving the earliest attention and the best portions of the dish. Afterwards, groups of congenial cronies were allowed to mess together, an arrangement more conducive to good feeling, but also more favorable to the hatching of plots and disorders.¹ The tutors, or "fellows," and graduate students sat at a raised table, supervised the decorum of the meal, and took turns in asking the blessing and returning thanks.² (The President dined in his own house.) At the high table also sat such few undergraduates as felt sufficiently assured of

¹ Willard, *Memories of Youth and Manhood*, ii, 192.

² In post-Revolutionary times a "college law" required that if the tutors were absent, a senior should take the head of the table and ask the blessing. In 1800 the seniors refused to do this if the tutor was merely late, and resolved "to take the head of the table alphabetically, & in case any fine should be inflicted, will make ourselves responsible for payment. Should anyone be rusticated, or even suspended, we unanimously agree to quit College." Accordingly Abbot took the head of the table, omitted the blessing, and was fined twenty cents. The next day the law was "dispensed with, providing we wait till a tutor entered. Thus he conceded, & we have obtained, our point." Diary of Timothy Fuller (H. C. 1801). Cambridge Hist. Soc. *Proceedings*, xi, 48.



COMMONS HALL (COMPLETED 1620), ST. JOHN'S COLLEGE,
CAMBRIDGE UNIVERSITY

The type of hall familiar to the founders of Harvard

their wealth and family importance to claim the privileges of the English nobility and receive the title of "fellow commoners" — in return for which they paid double for their tuition. We get an idea of the arrangements from the account of the State dinner for Governor Shirley in 1741: on that occasion there were two tables at each end of the hall, while the table of honor was "across by the chimneys"; but two more tables had to be brought in, as the crowd of diners rose to the unprecedented total of one hundred and twenty! ¹

The dining-room in the second Harvard Hall (completed in 1766) was considerably larger than its predecessor, taking up the entire eastern half of the ground floor, and measuring about 40 by 50 feet. In the last years of its occupancy, its uninviting aspect is described by a vivacious undergrad, who includes an unexpected detail not elsewhere recorded. He mentions "the chilling dampness that reigns through the room; its lofty ceilings; its venerable appearance of antiquity; its two niches now empty, where the pictures of their majesties the king and queen of England formerly were placed — sad emblems of revolution!" ²

The waiters were all undergraduates, again after the antique model of "sizars" at Cambridge or "servitors" at Oxford. In the new democracy however no loss of

¹ Quincy, *Hist. Harv. Univ.*, ii, 89.

² J. Tufts, *Don Quixots at College* (1807), 9.

caste attached to the position. On the contrary, it was frequently a salaried post bestowed on the best scholars in the class; indeed it was considered of a good deal of practical advantage, since the waiters got a valuable first lien on the viands in the kitchen.¹

The table fittings and service were primitive beyond belief, always half a century or more behind the usage of decent private households. The budding clergy and *literati* of the country were fed, if truth must be told, in a style that would disgrace the forecastle of a three-years whaler. Wooden bowls, spoons, trenchers, and piggins—suggestive name!—probably formed the original table-ware.² Cutlery was so scarce that each diner jealously guarded his knife, carrying it in his pocket or at his belt, and for the rest, exemplified the great truth that fingers were made before forks. These latter tools of course in the seventeenth century were new inventions, mere curiosities for the use of the very wealthy. The College bought its first forks in 1707.

¹ H. K. Oliver (H. C. 1818), "Reminiscences of Harvard 65 Years Ago," in *Harv. Register*, i, 94.

² In 1629 the good ship *Arbella*, fitting out "for her voyage," took aboard the following pantry inventory, rather misleadingly called "The cook's store": 100 platters, 4 trays, 2 wooden bowls, 4 pumps for water and beer, 3½ dozen of quarter cans, 3 dozen of small cans, 13 dozen wooden spoons, 3½ dozen bread baskets, 3½ dozen mustard dishes [!], 2½ dozen butter dishes, 3 or 4 dozen trenchers. Savage, *New England*, ii, *341. The "can" was a wooden vessel. In 1683 the "Wooden Ware belonging to y^e Butterie" included "4 cannis, 2 new, 2 old" and "Trenchers 12 Dozen." College Book, i, 85.

Meanwhile, the crying need of proper kitchen and table furnishings induced "Mr. Bridges, Mr. Greenhill, and Mr. Glover" to present "utensils to the value of £20 stg." in 1642.¹ But in 1655 the Corporation begged the General Court to make "provision of utensils wanting in kitchen and buttery, and accommodations for the scholars tables"—an appeal considered too trivial to require an answer. The gaps were apparently filled by odds and ends of outfit which the boys themselves supplied and cared for, since the Steward and the cook were formally declared not "bound to keep or cleanse any particular scholar's spoons, cups, or such like, but at their own discretion." It was a hundred years after the foundation before the Overseers recommended that (pewter) plates, to be "scoured twice a quarter," should be furnished at the charge of the College, also "suitable" table-cloths, "clean twice a week." The latter proved a great convenience. Timothy Pickering of 1763 records how "every scholar carried to the dining-table his own knife and fork, and, when he had dined, wiped them on the table-cloth."² This engaging custom arose from the almost total absence of napkins. A few dozen of such sybaritic luxuries were kept with the "Commencement

¹ S. A. Eliot, *Historical Sketch of Harvard College*, 159.

² *Life of Timothy Pickering*, i, 9.

Linnen" for the State dinners of the elders, but none were included in the "Common Table Linnen."¹

The old adage that every man eats a peck of dirt before he dies must have originated at Commons. Cider, the favorite drink after beer, was served in a common can, passed from mouth to mouth. The order that the hall be washed out "at least once a quarter" throws a murky light on the standard of cleanliness considered sufficient. It is only too probable that the personal neatness of the waiters—and of the diners as well—was of a correspondingly shady quality. As dry old Gordon, the contemporary historian of the Revolution, observed of the Yankee militia, "when at home, their female relations put them upon washing their hands and faces, and keeping themselves neat and clean; but being absent from such monitors, through an indolent heedless turn of mind, they have neglected the means of health, have grown filthy, and poisoned their constitutions by nastiness."²

¹ Inventory of 1683: College Book, i, 85. Napkins were absolutely essential to cleanly eating in the days before the introduction of forks, when all food that could not be spooned had to be manipulated with the fingers. Students in England were much more refined in their table manners. Charles Gawdy of Caius College, Cambridge, sent home in 1637 for "hauf a douson napkins"; and Bassingbourne Gawdy of Christ's wrote in 1654: "I want also half a douzen of napkins which are to be used in the hall which in the meantime I am constrained to borrowe." Although the table-cloth was probably not altogether immune, there were strict rules against using it as a substitute. Venn, *Early Collegiate Life*, 211, 217.

² *History of the American Revolution* (1788), ii, 142.

A further touch of grossness was secured by the custom of all hands eating with their hats on, perhaps in winter because of the cold (the floor of the hall was paved with stone¹). This custom is mentioned with surprise by a visitor from Yale² as late as 1784. The final appetizing flavor was wafted in from a vast pigstye, which stood close behind the hall, and in which a score of squealing porkers fought with enormously bloated rats for the tid-bits of the college swill.³

Fortunately the English scheme, which was at first so carefully followed, did not compel all meals to be partaken of under these depressing circumstances. Since the hall, as already noted, was much in requisition both as chapel and as lecture-room, the only formal meal served there was the noon dinner. This every student must attend. Breakfast he was expected to eat in his "chamber," after obtaining the ingredients at the buttery-hatch. Supper seems to have been a rather nebulous meal, a sort of alimentary afterthought. Being of extreme simplicity, it was originally taken in hall, connected with the much more important ceremony of

¹ The last relic of this type of flooring is probably to be seen in the much-worn hexagonal tiles still in the entries of University Hall, where Commons were located from 1816 to 1849.

² Simeon Baldwin, one of the tutors there. But when he dined with President Willard, he found the table "very elegantly furnished with a rich variety." Cambridge Hist. Soc. *Proceedings*, xi, 68.

³ Peabody, *Harvard Reminiscences*, 199.

“prayer time,” for which candles were charged “proportionably upon every scholar who retaineth his seat in the buttery.” Later it was simply handed out at the kitchen door, and frequently eaten on the spot.

To supplement the skimpiness of such fare, there long flourished the ancient university custom of “bevers” (from the same root as *beverage*) — a sort of light lunch or cold snack between meals, also served from the buttery. “Morning bevers” gradually merged into breakfast, which came to be served quite late, after chapel and a recitation or two. “Afternoon bevers” seems to have been the forerunner of the British five o’clock tea, and like that solemn function demanded a complete cessation of all other exercises for half an hour.¹

The Anglican practice of issuing meals from the buttery, awkward enough under a range of connected buildings in the mild climate of the old world, was horribly inconvenient in the new. The wretched freshman, half awake, stumbling through the snowy Yard in the gray of a piercing winter dawn, bearing a bowl of fast-congealing coffee, and subject to the onslaughts of upper classmen or a misstep on the ice, counted himself thrice happy if he regained his frigid chamber with even the

¹ Hall, *College Words and Customs*, 25. James Freeman Clarke fastens upon his ancestor James Freeman of 1773 the classic story of being sent when a freshman to the kitchen for hot water to make his senior’s tea, and of being especially cautioned to ask the cook if the water had “boiled long enough.” *Harvard Book*, i, 72.



EARLY VIEW OF KITCHEN, CHRIST CHURCH, OXFORD

A typical college kitchen of ancient times

remnants of a breakfast. At supper the scuffle around the kitchen door was equally disastrous. "Sometimes the spoons," wrote Judge Wingate of the class of 1759, "were the only tangible evidence of the meal remaining." After 1764, when the second Harvard Hall was built, the annoyance was mitigated to the extent of serving breakfast in hall; and in 1806, after a long and stormy agitation by the students, supper also was grudgingly restored to its old location there.

The preceding paragraphs have dealt chiefly with the buttery and the hall, in their various aspects, as gathered from the early chroniclers. But of all the component parts of the system, the greatest interest seems to have been excited by the kitchen. In the early days, when the domestic economy of a single family formed the only comparison, the regular cooking and serving of meals for more than a dozen persons was in itself a novelty, while the cumbrous apparatus of open wood-fires, cranes and hangers, pots and kettles, brick ovens, turnspits, jacks, trivets, pumps, buckets, coppers, and so forth, took up a vast amount of room and produced a far more imposing effect than the neat and compact utensils made possible by modern methods of heating, plumbing, refrigeration, and sewage.

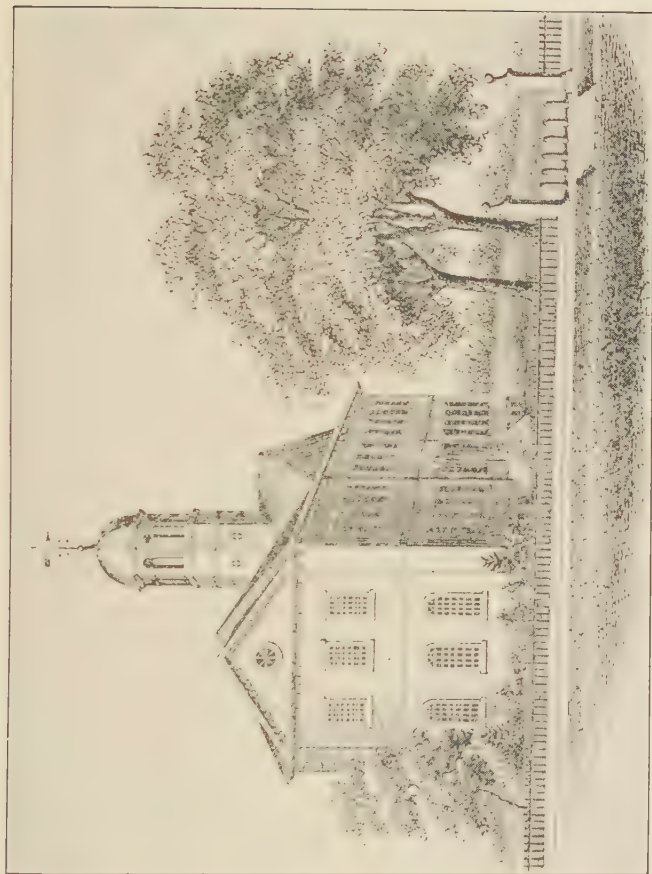
Moreover, the college kitchen was a real asset to the neighborhood, the largest and most complete catering

establishment in the whole countryside. Not only did it supply the Commencement dinners and other academic feasts — some of them surprisingly elaborate — but it was often requisitioned (especially before the local taverns amounted to much) for anything resembling a banquet in the community at large. Thus it provided the entertainment for the Assembly of Elders in 1643, and in 1655 cooked and sent out Tutor Mitchell's wedding supper.¹ It was a perfect godsend to the American commissariat during the Siege of Boston, while its regular patrons had deserted it, and probably fed most of the Yankee militia in Cambridge.² By this date it was located in new and enlarged quarters — the east basement of the present Harvard Hall — and was equipped to serve two hundred men, an absolutely stupendous number. The storage of its supplies required no less than three cellars, one for meats, one for general provisions, and one for cider.³ Its fame spread far and near.

¹ This semi-public use of the college kitchen seems also to have followed the English tradition. Even to-day, most of the kitchens at Cambridge and Oxford, on request, supply meals not only to the professors but to the townspeople in general.

² Jonathan Hastings, the College Steward, as the man most versed in matters of the food supply, was appointed temporary "Steward to the Army" on April 20, 1775. Henshaw's Orderly Book, Mass. Hist. Soc. *Proceedings*, xv, 87.

³ So late as 1863 the ruins of its apparatus were still visible. The kitchen door was at the east end of the basement, and the site of the kitchen pump close by was easily recognizable. *Harv. Magazine*, x, 126. The greater size of the eastern basement windows is observable to-day.



SECOND (PRESENT) HARVARD HALL, BEFORE ENLARGEMENT

The Commons Hall was in the further end of the ground floor, with the kitchen and the buttery in the basement.

In the words of Dr. A. P. Peabody, "It was the largest culinary establishment of which the New England mind then had knowledge or conception, and it attracted curious visitors from the whole surrounding country; while the students felt in large part remunerated for coarse fare and rude service by their connection with a feeding-place that possessed what seemed to them a world-wide celebrity." ¹

From the very beginning, in fact, the domain of Master Cook appears to have been one of the show places of the College, proudly exhibited by the undergraduates to whatever sightseers visited Cambridge. In the "Laws" of 1650 it is laid down that scholars are not to go into the kitchen "save with their parents or guardians, or with some grave and sober strangers." This rule hints at one of the collateral difficulties which the system of Commons entailed upon the harassed Corporation. (The Faculty, it must be remembered, is a comparatively modern body.) Nothing shows more quaintly the youth and immaturity of the old-time collegians than their thoroughly boy-like propensity for hanging around the kitchen. It was impossible to keep them out. Law after law was passed, fines were imposed, a "bar" was put across the door, and still they returned to the forbidden paradise which the flaming

¹ *Harvard Reminiscences*, 199.

sword of authority seemed powerless to guard. As late as 1815 it was solemnly decreed that "the scholars must not go into the kitchen *to cook*."

But a much more serious defect of the system began to manifest itself before long, and grew continually greater. If it was hard to keep the boys out of the kitchen, it was much harder to keep them "in Commons." A strong repugnance to be herded together and forced to eat—or at any rate pay for—poor provender miserably prepared and served, while within easy reach of healthy and hearty family cooking, to say nothing of the epicurean delights of several excellent taverns, gradually caused an alarming defection from the hall, and an increasing tendency to "take one's name out of the buttery."

If this was forbidden, the half-starved "scholars" resorted to all sorts of illicit practices to eke out their subsistence. In 1672 the court records detail how Edward Pelham of the class of 1673, coming "with a fowling peece in his hand," induced two small boys to shoot "a turkie sitting on Capt. Gookin's fence," and to convey it, wrapped in a coat, to Samuel Gibson's, where it "was dressed by his wife, & baked in the oven, & in the night following it was eaten by Mr. Pelham, John Wise [1673] and Jonathan Russell [1675],

studts.”¹ From the same source we find that “Jonathan Gatcliffe, aged about sixteen years,” deposed in 1685 that “he was invited by Mr. Wainwright [class of 1686] to eating a turkye in his chamber, and it was after supper time in Colledge. . . . Also he sayth that the next morning after it was reported the missing of Mrs. Danforth’s turkeys. Gen. Greele’s boy told him that he saw feathers both of turkies & geese in Mr. Wainwright’s Chamber.”² In 1723 the Overseers reported the distressing fact that “freshmen, as well as others, are seen in great numbers going into town [that is, Harvard Square] on Sabbath mornings to provide breakfasts.” Seven years later a new form of evasion is revealed by the vote: “None shall receive their [dinner] Commons out of Hall, except in case of sickness or some weighty occasion.”³

Before the middle of the eighteenth century a fresh phase of the difficulty was presented by the overgrown state of the College. The “Laws” of 1734 accordingly allowed undergraduates who were lucky enough to have

¹ See Paige, *History of Cambridge*, 226 n. For Gibson, see *post*, p. 268.

² Early Court Files, Case No. 2331. Clerk’s Office, Supreme Judicial Court, Boston.

³ Dr. John Venn, the accomplished President of Gonville and Caius College, Cambridge, remarks with much acuteness: “If it is desired to ascertain what the early student actually did, enquire what he was ordered *not* to do. . . . Legislation is not made at random, and it is seldom thought worth while to forbid a practice until it has become tolerably frequent.” *Early Collegiate Life*, 112.

families living in Cambridge to board at home. By degrees the rule of compulsory attendance was further relaxed until many other students boarded as well as lodged out of the Yard. The Overseers, realizing that this meant the disintegration of the system so laboriously built up, made great efforts to "put them in Commons again." In 1747 they voted that it would be "beneficial for the College that the members thereof be in Commons"; and ten years later they passed a resolution "to restrain them from dieting in private families." In 1760, students were specifically prohibited "from dining or supping in any house in town, except on an invitation to dine or sup gratis," and in 1764 the prohibition was extended to breakfast, this being the date when that meal began to be served in hall.

All these fulminations were about as effectual as the rest of the mass of puerile legislation which then hung heavy (?) over the undergraduate head. Judge Wingate declares that some of his classmates "paid for their Commons and never entered the Hall while they belonged to the College."¹ In 1761 it was officially reported that over ninety scholars, or more than half the entire University, were boarding in private families.² The fine for eating out of Commons was a shilling (sixteen and two-thirds cents), increased in 1789 to twenty cents.

¹ Peirce, *Hist. Harv. Univ.*, 219. ² Quincy, *Hist. Harv. Univ.*, ii, 100.

Careless of such "pecuniary mulcts," which were simply added to the quarter-bills and paid (like the fines for drunkenness imposed by a modern police-court) not by the offenders but by their families, the hungry and dissatisfied students still sought to assuage the natural cravings of the inner man. Debarred from private houses, they patronized "the different marts of luxury, intemperance, and ruin," as the Cambridge inns were officially stigmatized. When these in turn were banned, Charles Angier of 1793 conceived the ingenious substitute of a perpetual spread in his room at Hollis 8 (long remembered as "The Tavern"), where a table was kept constantly covered with tempting edibles and potables for "first aid" to the refugees. "We take upon us," remarks John Holmes, "in the absence of historical evidence, to vouch for the constancy of Mr. Angier's friends. The shrine is gone, but a flavor of transcendent hospitality will always pervade No. 8."¹

The gentle reader of to-day may note with some surprise that during this prolonged contest to keep the scholars in Commons it seems never to have occurred to the authorities to resort to any weapon finer than the bludgeon of sheer compulsion. And yet they were only following the theory of pedagogics as they knew it. They were stern men, still overshadowed by the tradi-

¹ Article on Hollis Hall, in *Harvard Book*, i, 66.

tions of a dark and cruel age. We may recall as typical, though not very creditable, that in the person of Charles Chauncy, its second president, Harvard College,

the herald of light and the bearer of love,

blandly agreed that in state trials and the like, "Magistrats may proceede so farr to bodily torments, as racks, hote-irons &c to extracte a confession."¹ Bodily torments, to be sure, were ceasing to be a recognized means of discipline in the University. Eaton with his walnut-tree cudgel was but a memory; public whipping was a thing of the past; even ear-boxing was going out of fashion; but the accepted canon in all dealings with the student body was still some form of force. Such words as diplomacy, consideration, sympathy, and tact were as yet unwritten in the bright lexicon of youth—or rather of youth's instructors, who were anything but bright. Until just before the Revolution they made virtually no effort to win over the collegians by modifying or popularizing the system, or to meet complaints by improving the character of Commons. The beggarly food was set upon the tables; and if, like the unwilling horse led to water, the boys refused to partake of it, the loss was somehow considered their own affair.

¹ This was, to be accurate, in 1642, when Chauncy was minister at Scituate. Bradford, "History of Plymouth Plantation," in *Mass. Hist. Soc. Collections*, 4th Series, iii, 396.

But the victims who were unable to escape did not stop at passive resistance. Driven back again and again into the hated hall, they met force with force, and frequently rose in very active revolts. We shall see that in most of these, great quantities of food were literally thrown away, and that in some the very life of the College was put in jeopardy. "The food," says Dr. Peabody of the last days of the institution, "had not been deficient in quantity, but it was so mean in quality, so poorly cooked, and so coarsely served, as to disgust those who had been accustomed to the decencies of the table, and to encourage a mutinous spirit, rude manners, and ungentlemanly habits; so that the dining-halls were seats of boisterous misrule and nurseries of rebellion."

At last in 1825 conditions had reached such a pitch that, after a belated and ludicrously unsuccessful attempt at reform, the chains were loosened; and the Faculty, wearied by a century of contention, disappointment, mortification, and failure, agreed that students who had obtained permission might board at private houses — as might just as well have been done in 1636. It is markworthy that the change was first recommended by a committee on *reducing* the expenses of the students; which committee also reported the amazing discovery (in equally amazing English) — "It not having been perceived that any inconvenience has arisen, or that the

morals and discipline of the students have been unfavorably affected, by permitting them to board in private families.”¹

This momentous concession of course knocked the keystone out of the arch. The Faculty, evidently recognizing that the ancient system was doomed, granted permissions so freely that by 1849 less than one sixth of the College was in Commons, and the whole scheme was abandoned. At Yale, we may note, Commons were given up almost simultaneously, under the very similar conviction (as phrased by President Woolsey) that “with all their evils of coarse manners and wastefulness” they “were no essential part of the college, that on the score of economy they could claim no advantage, that they degraded the manners of students and fomented disorder.”²

Sound as such reasons undoubtedly were at both institutions, they did not really account for the collapse of Commons in the New England colleges. Granting that the American imitation of the English system had become encrusted with a dismal tradition of dirt and disorder, yet these were results rather than causes. The system itself, though at first more troublesome, was intrinsically just as workable on the banks of the Charles as beside the Cam and the Isis, as shown by the recent

¹ Quincy, *Hist. Harv. Univ.*, ii, 360.

² *Historical Discourse* (New Haven, 1850), 72.

triumphant revival of it, or something very like it, in the Freshman Dormitories. The congenital defect, that from the beginning stunted and strangled and finally killed the Commons system, was Puritan parsimony.

With a vision as narrow in practical affairs as in theological dogmas, the founders of the College resolutely blinked the fact that the Oxford and Cambridge halls were enabled to continue successfully for century after century because they supplied their students, after the hearty old English manner, with good and ample cheer.¹ To be sure, the expatriates could not hope to follow them fully in this regard. Heaven knows the early fare of New England was rough and restricted enough, but the fare of Commons always managed to go one better — or worse — in both respects. The authorities seem to have proceeded on the theory, still sometimes heard, that “boys will eat anything.” In their anxiety to keep down the expense of a college education for a struggling and impoverished community they made the fatal mistake of economizing first of all in food. They could not see far enough to realize that in

¹ Even upon the statutory fasting days the English collegians did not suffer unduly. A report on the condition of the universities made to Archbishop Laud in 1637 states that although on Fridays, in Lent, etc., there was no meat served in hall, yet “the victualling houses prepare Flesh, good store, for all scholars . . . upon all such fasting nights in schollers chambers are generally the best suppers of the whole week, and for the most part of Flesh meate all.” Venn, *Early Collegiate Life*, 222.

the long run it would actually be "good business" to set a good table.

In consequence, the price of Commons was always kept below the current rates for reasonable living — "lower," as one commentator puts it, "than that ordinarily paid for the board of paupers."¹ In 1643 the College entertained the Assembly of Elders at a dinner, which was served "after the manner of scholars commons, for the encouragement of the Students, *but somewhat better*," at a cost of sixpence a plate!² If this was festal fare, what was the ferial? As time went on, the price of course followed the gradual rise in the cost of living, but always lagged woefully behind. In 1654 the charge was 4*s.* 6*d.* a week; compare this figure with the sum allowed by the courts a few years later for the board of jurymen, 2*s.* 7*d.* a day!³ In 1765 the rate was 7*s.* 4*d.* a week, while a warm protagonist of the system afterwards admitted that "pleasant" board would have cost 20*s.*⁴ Seven years later the rate was actually reduced to 7*s.* From 1808 to 1830 the figure remained at \$1.75;⁵

¹ B. H. Hall (H. C. 1851), article on "Commons," *Harvard Book*, ii, 114. This elaborate essay, fully annotated and with many extracts from original documents, is the best general reference on the subject.

² Savage, *Winthrop's History of New England*, ii, *137.

³ Paige, *History of Cambridge*, 229.

⁴ "College Laws" of September, 1765; Peirce, *Hist. Harv. Univ.*, 220. At Princeton in 1752 the rate was 7*s.* "York Currency" or 80½ cents. *Putnam's Monthly*, ix, 634.

⁵ Or, as it was still denominated, "ten and sixpence." Peabody, *Harvard Reminiscences*, 199.

soon after the latter date, board at a good private table cost about \$4.¹

But the blackest aspect of the matter remains to be told. It was an open secret that even at these prices the Corporation hoped *to make a profit*, and not infrequently succeeded!² Probably no single factor contributed more to the execration of Commons than the constant maddening suspicion among the diners that their stomachs were being exploited in favor of the balance-sheet, and that, little as they paid, they were not even getting their money's worth.

This cheese-paring policy produced its inevitable results. All food was of the cheapest possible quality, making it almost out of the question to supply properly varied and nutritious victuals. Never again, to be sure, did the fare sink to the level of the eternal nauseous porridge of Eaton's time; and there must have been many occasions when the day was saved by the early custom of paying tuition fees "in kind," resulting in additions to the larder that ranged from "sack wine" to "goat mutton" and "a old Cowe." But as will further appear, the students' diet was generally so restricted,

¹ *Harv. Magazine*, iv, 275. The English charges for commons were much greater. In 1637 Charles Gawdy of Caius College, Cambridge, writes to his father: "Pray you to send 5 poundes by the carrier when he come up againe to pay for my commons this quarter." Venn, *Early Collegiate Life*, 229.

² Quincy, *Hist. Harv. Univ.*, ii, 96. This abomination began very early. Cf. the suggestion of the Overseers quoted on page 118, *post*.

monotonous, and unwholesome that it is a wonder how they existed at all.

And even of this atrocious fodder there was rarely enough. The hearty appetites of growing boys were regulated by a set of elderly dyspeptics desperately afraid of losing their grip on a few shillings. Not for nothing has the phrase "short commons" passed into our permanent vernacular. The daily quotas were meticulously fixed at amounts just sufficient to support life — a pint of milk, half a biscuit, one piece of butter, a tumblerful of beer, etc. Second helpings were unheard of. Instead, the finances were shrewdly eked out by the plan of charging extra for everything beyond the irreducible minimum. These extra orders were called "sizings," and were so universally needed — in fact expected — that the old term-bills always charged for food under the head of "Commons and Sizings."¹

The disgusting conditions in the hall, already touched upon, were in great part another result of this policy of over-frugality. And perhaps worst of all, though much might have been done (after the manner of Latin races) to make palatable dishes out of unpromising materials, there was never money enough to pay for good cooks. The incumbents of that vitally important position had

¹ This word gives another proof how closely Harvard modelled itself on Cambridge University. At Oxford these charges were called "battels."

to be picked up at random. Old sailors have a saying that when a seaman becomes unfit to go aloft any more, he ships as a cook; and quite as little regard for professional training and experience was shown aboard the good ship *Harvard*. Among the early despots of the kitchen, one had formerly been a locksmith, one had been bred a saddler, and two had followed the inglorious calling of tailors. So late as 1765 the appropriation for the whole culinary staff was only £37½ sterling per annum.¹ Well might the hard-pressed students echo Garrick's epigram — "God sends meat, and the Devil sends cooks."²

As a further measure of economy, the cook's assistant or general scullion was sometimes an Indian³ impressed from the surrounding forest — whose interests probably lay more with scalps than with skillets, and whose views might be thought unconventional as to the best use of a slow fire — but more often an African slave. Of the latter genus, the names of "Mungo" Russell, who

¹ "College Laws" for 1765.

² At Yale, after a "walk-out" in protest against the quality of Commons, "the cooks were regularly tried before the faculty. It was a rare tribunal & withal amusing. They were all forthwith dismissed from service except two." Mitchell, *Reminiscences of Scenes and Characters in [Yale] College*, 119.

³ In 1691 the Corporation ordered the Steward to find for the Commencement dinner "Wood, Candles, [extra] Cooks, Turn-Spitt Indians, and things [!] of the like Nature." The same functionary "Paid for help at y^e commencement^t in y^e year 1703: to y^e Indians 0.2.10." *Harv. Alumni Bulletin*, xxii, 303.

flourished in post-revolutionary times, and of "Peter" Waters from Rhode Island, who succeeded him, have been handed down by history without comment.¹ We may fancy nevertheless that these sable chefs, perhaps cannibal chiefs in their native jungles not so many years before, regarded with a somewhat scornful eye the pale and flabby refinements of a Caucasian cuisine, and did not on the whole add to the success of Commons.

This "cheap and nasty" virus was injected into the new-world conception of Commons at the very outset, by the avarice of Eaton. It was continued by the real organizers of the College from a precisely opposite motive — a mistaken generosity in making the higher learning as inexpensive as possible. Before its pernicious effect was realized it had become ingrained in the very marrow of the system, and had hardened into a precedent only too readily followed by an institution chronically impecunious. Indeed it presented the unusual situation of an addendum more powerful than its foundation, a tail that wagged the dog. The original English scheme of Commons might languish and decay, the buttery might be closed, the Butler disappear, the Steward depart upon other business, even the brew-house melt into a fragrant legend; but Yankee frugality triumphed

¹ *Harv. Magazine*, x, 126.

over them all, transmogrified all their operations, and cursed the Commons to the very end. Under its weakening influence, the American imitation never attained the sturdy, well-ordered vitality of its British original, but like a chronic invalid required constant nursing and propping up, until, after a long decline and a series of severe shocks, it ended as it had begun, in poverty and wretchedness.

Further, the administration of this super-economical system was full of difficulty, and was so clumsily handled as to result in an enormous waste of energy. Instead of relying on their paid experts, the whole Corporation (or in later times the Faculty) conscientiously grappled with every petty problem and perplexity which their perverse principle produced. The constant strain of holding down expenses, the minute adjustment of details, the disputes with the Overseers on questions of policy, the suppression of revolts among the half-starved commoners, and the worries incident to "the management of the business of purveying," made up, as S. A. Eliot expresses it, "a large part of the employment of the Corporation; and it is amusing to see, term after term, and year after year, the formal votes, passed by this venerable body of seven ruling and teaching elders, regulating the price at which a *cue* (a half-pint) of cider,

or a *sizing* (ration) of bread, or beef, might be sold to the student by the butler.”¹ The time and trouble they spent in pulling and hauling their close-fisted fetish along the rocky road of opposition and misfortune would almost have sufficed to run another college. And all this stream of misdirected effort was not only in the main wasted, but was diverted from the proper channels of the University’s progress, which was incalculably hindered in consequence.

¹ *Sketch of History of Harvard College*, 70.

IV

THE HISTORY OF "COMMONS"

PART II

THE foregoing exposition of the theory and practice of Commons at Harvard has shown with tolerable clarity that although the outward forms of the English scheme were duly observed for many years, the Yankee interpretation of the principles involved was fundamentally at fault from the beginning, and the more the system was altered in conformity therewith, the more evidently it became a hopeless misfit. And yet, as its later advocates proudly pointed out, it endured for over two hundred years. Certainly, they contended, an institution that lasted so long must of very necessity be a good thing. But they failed to see that the mere time-argument proves no excellence whatever; it cannot for example justify the institution of slavery, which lasted almost as long, or the liquor trade, which lasted much longer. The fact is that the Americanized version of Commons — if a singularly appropriate metaphor may be permitted — was forcibly crammed down the throat of a most unwilling constituency by the unrelenting exertions of a well-meaning but sadly misguided governing body. And a long, loud, and almost unbroken

chorus of protest comes down to us as evidence in support of this view. It may not be unprofitable therefore to reëxamine our subject from the new angle thus suggested.

Not all the voices in that chorus were those of the actual sufferers. Many highly pertinent observations on the matter were made by the conscript fathers themselves, and even by the outside public. Hardly had the system got well under way before the Overseers discovered that the food was not worth the price asked, low as that was, and suggested that "the scholars charges might be less, or their Commons better."¹ This seems to have been the favorite way of putting the case during the seventeenth century. The conditions in the hall must have been notorious, for in 1681 Mr. Samuel Ward of Charlestown, not an alumnus at all, left to the College by will the island in Boston Harbor known as Bumpkin Island, "the rent of it to be for the easement of the charges of the dyet of the students that are in Commons." In 1653 the whole institution was in a parlous state, and the General Court ordered an investigation, especially "to direct some way how the necessary officers, as steward, butler, and cooke, may be provided for, so that the schollers comons may not be so short as they now are occasioned thereby."

¹ In 1665. Quincy, *Hist. Harv. Univ.*, i, 463.

In 1732 a committee of the Overseers hit the nail squarely on the head by recommending "that the Commons be of better quality, [and] have more variety." In 1766 they found specifically that there had been "great neglect in the Steward, in the quality of the butter provided by him for many weeks past." At other times they proposed constructive reforms, such as the suggestion in 1758 that each "mess" of eight students should arrange with the steward for "such food as was most agreeable to them," so long as the rates were not increased; but the Corporation put a negative upon the scheme.

For even as Baalam's ass, beholding a private vision of her own, refused to obey the guidance of her master, so the Corporation, stubbornly satisfied with its own notions, paid no heed to the advice and warning of its duly constituted mentors. Indeed it completed the parallel by lifting up its voice to rebuke its critics by distinctly belligerent votes of confidence in its own ability to handle the situation — as in 1750, "that the quantity of Commons be as hath been usual." And if it now seems slightly ludicrous that a group of theologians, mathematicians, and Hebraists should hold that their training also qualified them for the art of catering, and insistently arrogate to themselves the complex duties of the *restaurateur*, we must remember that a far-flung ver-

satility was nothing to wonder at in those self-reliant days before the swarm of "experts" and "specialists" had overrun the land — days when the cook repaired the college clock, and the learned but horny-handed President himself toiled many a weary hour in laying stone wall and running candles.

The champions of the *status quo* pointed out — and with perfect truth — that the low price of Commons kept down the price of board in Cambridge, but apparently did not perceive that the low price of board in Cambridge was one of the chief inducements for that desertion of Commons against which they were constantly striving. They seem to have been obsessed with the idea that malnutrition was a part of education, that plain living somehow guaranteed high thinking, and that however much the concomitants of learning, like the Spartan boy's fox, might gnaw into the vitals of the learner, no outcry was to be expected. At the same time, they had an uneasy feeling that wisdom was not a complete substitute for beef and potatoes. The horns of their dilemma were well defined by Edward Johnson, as early as 1650: "To speak uprightly, hunger is sharp, and the head will retain little learning, if the heart be not refreshed in some competent measure with food, although the gross vapors of a gluttoned stomach are the

bane of a bright understanding, and brings barrenness to the brain.”¹

Besides, they imported into the question a great moral issue. With Sir Toby Belch, they assumed that the virtuous must necessarily eschew cakes and ale. From their ethical standpoint it was perhaps inevitable that they should

Fat pig and goose itself oppose,
And blaspheme custard through the nose.

The most striking example is their famous vote of 1693 concerning “plumb cake,” which, along with “punch and flip,” the graduating class, it appears, were beginning to offer to their friends at Commencement time — the germ of the modern class-day spread. For this offence the huge fine of 20s. was to be imposed (the fine for lying was 1s. 6d.) and the cake was to be confiscated, as “dishonorable to the College, not grateful to wise men, and not used in any other Universities.” (A stranger might have supposed that the lonely little seminary in a clearing of the New England wilderness was surrounded by rival institutions as thick as the native huckleberries.) Perhaps the last official enunciation of the idea was Benjamin Peirce’s defence of Commons in 1833 as “cheap, wholesome, and *philosophical*.”²

¹ *Wonder-Working Providence* (ed. Jameson), 200.

² *Hist. Harv. Univ.*, 218.

Thus spake officialdom, *pro* and *con*, as to the traditional feeding system at Harvard, speaking for the most part, as befits officialdom, in generalities. But the real enormity of that system begins to dawn on us only when we descend to details. Let us then look into the testimony of the students themselves, set down in copious and heartfelt terms in their diaries and reminiscences, regarding the alleged edibles actually put before them.

For over a century, we find, the standard breakfast consisted of nothing but beer and bread — both frequently sour. The former was issued by the “cue” (about a tumblerful), and the latter by the “size,” which an early alumnus, apparently of Hibernian stock, has described as quite indescribable.¹ When breakfast began to be served in hall, the beer was superseded by coffee (cooked in a dirty copper boiler and tinctured strongly with verdigris), tea, or chocolate, at choice; and butter was also provided, usually of a villainous quality, characterized by one sufferer as “not fit to grease cartwheels with.” On the morning of the annual Thanksgiving Day a special treat was sometimes granted in the shape of that rich and stimulating compound, milk toast. What was served on the much more numerous fast days we can only conjecture. Ancient graduates of Yale recall another breakfast dish,

¹ Peirce, *Hist. Harv. Univ.*, 219.

denominated *slum*, and founded upon "the remains of yesterday's boiled salt beef and potatoes, hashed up, and indurated in a frying-pan — of itself enough to have produced any amount of dyspepsia."¹

Supper was such an unconsidered trifle that for a long time its actual substance does not seem to have been mentioned at all. It was literally "nothing to speak of." Apparently it comprised only one dish, probably — for the first hundred years or so — bread and milk, and very little of that. In the middle of the eighteenth century the unexpected luxury of pastry was substituted; and Dr. Holyoke of the class of 1746 says, "evening Commons were a pye." In 1750 the Corporation allowed the additional attraction of half a pint of beer, but took good care to keep down the food ration by ordering "that the supper messes be but of four parts, though the dinner messes be of six." In the Laws of 1765 the meal is vaguely hinted at as "bread and milk, rice, applepye, or something equivalent." A freshman of 1754 describes it as "a pint of milk and half a biscuit, or a meat pye or some other kind."² In the eighteen-twenties the repast had boiled down to nothing but tea and cold bread "of the consistency of wool."³

The recipe for the meat pye is, perhaps fortunately,

¹ Mitchell, *Reminiscences of Scenes and Characters in [Yale] College*, 117.

² Peirce, *Hist. Harv. Univ.*, 219.

³ Peabody, *Harvard Reminiscences*, 198.

lost; but at Yale in 1742 the official ingredients of the applepye were "one and three-quarters pounds of dough, one-quarter pound hog's fat, two ounces sugar, and half a peck of apples."¹ Dieticians may speculate upon the connection between such a dish and the fact that in the Yale Commons supper was soon afterwards discontinued. The pastry at Harvard had a peculiar leathery consistency — perhaps originated by the cook who had been a saddler — that made the pies noted for perdurability. One old grad gave it as his opinion that they might have been thrown over the roof of the building without damage;² and it was a common practice of thrifty students to preserve them for an emergency ration by spiking them with a fork to the under side of the dining-table. Concerning the bread and milk, A. B. Muzzey observes that the bread of his day was "a fit substitute for vinegar"; and Sidney Willard insinuates that "there were suspicions at times that the milk was diluted by a mixture of a very common tasteless fluid, which led a sagacious Yankee student to put the matter to the test, by asking the simple carrier-boy why his mother did not mix the milk with warm water instead of cold. 'She does,' replied the honest youth."³

¹ *Historical Discourse* in 1850 by President Woolsey, quoted in Hall, *College Words and Customs*, 118.

² Reminiscences of A. B. Muzzey, class of 1824, in *Harv. Register*, iii, 136. "The food was most extraordinary." Same, in *Harv. Monthly*, xiii, 185.

³ *Memories of Youth and Manhood*, i, 313.

Dinner consisted chiefly of meat, a pound per person — of course including bone, fat, and gristle — and always of the cheapest variety in the market. This led to a monotony as intolerable as it was unhealthy. In winter, salt beef long formed the staple item, varied on Saturdays by salt fish. (In the early history of Dartmouth, salt pork was almost the only meat procurable.¹) Occasionally “the pickle leaked out of the beef barrel,” so that in a few days the contents became really formidable. At one such dinner, when a distinct flavor of corruption was in the air, the tutor whose turn it was to say grace rather unfortunately invoked the divine blessing “upon this fresh instance of thy bounty.” The grace, by all accounts, was not well received.²

In the spring and summer, lamb supplanted this saline regimen with equally exasperating regularity. Contrary to the old notion that a man assimilates the characteristics as well as the substance of the animals he feeds on, the more the students ate of this emblem of meekness, the more irritable they became. When the saturation point was reached, they would besiege the Steward’s lodgings and fill the air with horrid discords of bleating and baaing, until the distracted functionary appeared and promised a change of bill. At New Haven, it is said, similar relief was secured by the more “direct

¹ *Life of Jeremy Belknap*, 69.

² *Harvard Book*, i, 90.

action" of pitching the afflictive provender out of window, platters and all.¹

The meat was always either boiled or roasted — "roasted on," sighs poor Muzzey, "from brown to black." On "boiling days" a "mess of greens" or other "sauce" was added. As luxuries crept in, each diner also received two potatoes, which he peeled himself. In 1757, as a lure to keep the scholars in Commons, the Corporation voted "that there should be pudding three times a week"; but with their fatal passion for close figuring they at once subjoined that "on those days their meat should be lessened." The intended inducement turned out to be a sort of Barmecide feast, and on pudding days the commoners fared rather worse than before; for if Harvard had made a failure of Indian pupils, it made an equally poor fist of Indian puddings, which are spoken of by those who assaulted them as having the appearance and general attributes of cannon-balls.²

The obvious failure of this inspired stroke of economy caused a much more engaging programme to be announced in the Laws of 1765. These provided that there should *always* be two dishes for dinner, "a pudding to be

¹ Hall, *College Words and Customs* (1856), 118; Mitchell, *Reminiscences . . . in [Yale] College*, 116.

² Timothy Pickering of 1763 recalls with pathetic gusto that there was also "a baked plum pudding once a quarter." In his day, if the students wanted tea, coffee, or chocolate, they had to bring their own private supplies from home. *Life*, i, 9.

one." An astonishing concession was also made by the rule that "the same dish is not to be served above twice a week."

Just as these reforms were beginning to take root, however, and an era of (comparative) gluttonous profusion seemed assured at last, the Revolutionary War broke out, and Commons promptly sank from the zenith of success to the nadir of tribulation. In times of general prosperity the bill of fare had been scanty enough; during the difficulties of this period it almost reached the vanishing-point. Tea of course was anathema,¹ coffee and chocolate were virtually unobtainable, and even salt was so scarce that the standard Saturday dinner had to be changed to *fresh* fish, evidently looked upon as a last resort.² Breakfast, as well as supper, was reduced to a pint of milk and one biscuit "and no more"; dinner dwindled to a "sufficient" helping of meat and a single piece of bread. These were the official allowances;³ in actual fact the situation was still more desperate. Graphic hints are given in the letters written to his father by Sylvanus Bourne, a sophomore, during 1777.⁴ "I really expect," he says

¹ The Faculty Records of March, 1775, contain a lengthy account of the disturbances caused by some unregenerate students bringing "India Tea" into the hall.

² Corporation vote of August 11, 1777.

³ Faculty Records for March 21, 1778.

⁴ Bourne MSS., Harvard College Library, "MS. Am. 580 F."

on June 19, "to be home in a few days for we have nothing to eat and the president says he believes College will break up; one day we do not know we shall have any victuals the next." At Harvard there seems to be no record that this catastrophe actually occurred; but at Yale, on several occasions during the Revolution, the students enjoyed a vacation not on the calendar, since it was found impossible to feed them anything at all.¹

A curious secondary complication was also produced by the war. If there was little to eat, there was even less to eat it with. When the Commons hall was occupied by the militia during the Siege of Boston, the plates, spoons, and mugs went the way of all the other pewter in the neighborhood, and disappeared as if by magic into the Continental bullet-moulds. It was well-nigh impossible to replace them. Young Bourne writes: "I am very sorry that Hall disappointed me about the spoons, must have a set somewhere if I can." The cutlery too had vanished so completely that at the end of a badly scrawled letter he adds apologetically, "no penknife to make a pen." As for the pots and pans, the second "Account of Damages" suffered by the College from the American Army includes the item: "Kitchen Utensils Carried away £37.6.0."²

¹ In 1776, 1777, and 1779. See Woolsey, *Historical Discourse* (1850), 72.

² April 6, 1777. Harv. College Papers, ii, 44.

To cap the climax, the value of the currency dropped with the sickening speed suffered in a nightmare; so that the prices of what few provisions remained in the market rose to levels positively grotesque. "Things are so extravagant," exclaims our Sylvanus, "money is just nothing. You cannot get the meanest wine under 10s. — now you may judge. I am as frugal as possible. I borrowed shoes to walk to Boston today, have none myself." The price of Commons was increased in 1776 to 10s. 7½*d.* per week. But this was merely the beginning of the inflation. In the autumn of 1780 a pound of butter in Boston cost \$12, and a bushel of Indian corn \$150, while the regular November dinner of the Corporation, served as cheaply as possible, stood each diner the appalling sum of \$52.61.¹ Yet so widespread was the distress that the pitiful destitution of the college table passed almost unremarked.

After the declaration of peace, the Commons, in the phraseology of Dr. Blimber, that well-remembered instructor of young gentlemen, "resumed" — but on the old unsavory basis. This was so old and so unsavory that by 1820 even the Faculty realized that unless they made some effort to keep abreast of the times their beloved system would be swamped by the rising tide of progress. They therefore engaged one Cooley as man-

¹ S. A. Eliot, *Sketch of the History of Harvard College*, 88.

ager, and evidently instructed him, in modern parlance, to "go the limit." With all the assurance of a Barnum he advertised that he had secured "cooks superior to any in the United States," and set forth elaborate menus, including roast goose, turtle soup, and other unheard-of dainties. A long-suffering but inextinguishably hopeful patron records the results in his diary. "Commons very bad today," is the usual entry; "hope they will be better tomorrow." Of the roast goose — "I suppose every goose in our room, and there were eight or ten of them, could have been bought for a dollar." Of the turtle soup — "as I never ate any before, I do not know whether this was good, only that I could not eat any of mine." At supper "the bread was mere dough, but will no doubt be improved."¹ This strain of undaunted optimism may have been what Peirce meant by "philosophical" fare.

After further and equally unfortunate essays, the Faculty threw up the sponge in despair, and in 1842 turned the Commons over to an independent contractor. This worthy, having the Puritan tradition strong upon him, wrestled with the idea that the main obstacle to success lay in the excessive price, which had then reached \$2.50 a week. He therefore instituted a second

¹ From diary kept during 1820 by G. Whitney (H. C. 1824). Quoted in *Harvard Book*, i, 89. It was after a few years of Cooley that the students were allowed to choose their own boarding-places. See *ante*, p. 107.

grade of Commons at \$2 a week, served in the basement of University Hall, which was dubbed "starvation hollow." In the first grade there was meat every day, in the second, every other day, the *lacunæ* being filled with pudding, "compounded chiefly of bad rice." Still, we have the word of no less a judge than Joseph H. Choate that this was a very tolerable arrangement.¹ All the same, the number of survivors who agreed with him must have been insignificant; for the conscientious contractor soon disappeared, and Commons, as we have seen, ceased to exist.

If we pause to consider that the miserably inadequate dietary which has been sketched above — washed down with every variety of vile beer, cider as hard as Pharaoh's heart, and (on the sly) heroic jorums of rum punch — was prescribed during four of their most critical years for rapidly growing youths, who took no regular exercise beyond the daily chores, who had no inkling of modern sanitation, and who never saw a tooth-brush in their lives, we can but feel a new awe and wonder in perusing the first fifty pages of the Quinquennial Catalogue — awe at their hardihood and wonder that they ever survived to take a degree. With quiet irony Dr. S. A. Eliot remarks: "There is reason to believe that the quality of the provisions in 1767 was not

¹ *Harv. Alumni Bulletin*, xviii, 113.

exactly what is required by the more delicate youth of the present day; and perhaps it was less carefully adapted to the general organization of the human stomach and palate than was really desirable.”¹ With more downright emphasis the Reverend John Mitchell affirms of the later days of the Yale Commons, that the food “was absolutely destructive of health. I know it to have ruined permanently the health of some, and I have not the least doubt of its having occasioned, in certain instances, which I could specify, incurable debility and premature death.”²

Nor can it be urged that the policy of semi-starvation was, in normal times, a necessity. Though not supplied with modern delicacies, the markets of the eighteenth century at any rate afforded a considerable choice of good eatables. At the installation of President Leverett in 1708 the dinner included meat-pies, fowls, beef, pork, turkeys (with cranberry sauce!), onions, parsnips, eggs, tongues, cheese, and mutton, accompanied by “green wine,” port, “Maderah,” and (of course) “bear.” The Commencement dinner five years before had also items of carrots, cherries, oranges, apples, peas, chicken, corn, geese, and bacon.³ If the Corporation had possessed the

¹ *Sketch of History of Harvard College*, 70.

² *Reminiscences . . . in [Yale] College*, 117.

³ Both these menus are from the private account book of Andrew Boardman, 2d, College Steward. *Harv. Alumni Bulletin*, xxii, 302.

wit to add a judicious selection of such attractions to the wretched monotony of their regular table, they might have made Commons the most popular part of the curriculum.

Howbeit, for the first century or so of Harvard's history the students seem to have endured their gastro-nomic hardships with a rather surprising amount of resignation.¹ After all, they were very young and very few,² — Increase Mather referred to them contemp-

¹ Peirce, however, goes so far as to say that "Commons, from the first establishment of Harvard College (when, in imitation of the English Colleges, they were introduced), seem to have been a never-failing source of uneasiness and disturbance." *Hist. Harv. Univ.*, 217.

² Toward the end of the seventeenth century, the number of students, instead of exhibiting a normal growth, diminished most alarmingly. Several classes graduated only three members; and in 1672, 1682, and 1688 there were no graduates at all. In 1674 there was only one (although by manipulating the catalogue the number of degrees was subsequently bolstered up to three), and great anxiety was felt at "the paucity of Scholars in the College; the number of whom falls now far short of what hath been in former daies." In November of 1674, the students were so dissatisfied with the administration that "all except three, whose friends live in Cambridge, left the college." Few readers, I think, realize how near Harvard came to extinction during that decade. Its reputation and good name were sinking as fast as the attendance; the discipline (including flogging) was outrageously severe; the ruinous old "house" was practically uninhabitable; the Corporation were resigning right and left; the treasury was empty and heavily in debt; the managers were preposterously successful in antagonizing prospective benefactors; the salaried officers were all dismissed except the president (Hoar), who was threatened with the same fate; and the best friends of the institution conceded that "a sentence of death for the present seems to be written upon it." Under Mather, however, the old average of attendance was sufficiently recovered to make his sneer applicable. See *Mass. Hist. Soc. Collections* III, i, 63, 65; *Colonial Soc. Transactions*, xi, 339; Sibley, *Harvard Graduates*, i, 237, ii, 413, 444; *Quinquennial Catalogue*; *Harvard Book*, i, 36, etc.

tuously as "forty or fifty children," — mostly the sons of poor country ministers, accustomed to rough and scanty fare, and looking forward to no more roseate future than to become poor country ministers in their turn. Before the 1700's were half run, though, the Steward began to complain of "the Difficulty of giving the Scholars Content." This he was apt to attribute to "the present great Scarcity and Dearness of Provision," due to the depreciation of the currency at that period.¹

But the Steward could see no farther into a millstone than could the Corporation. In reality there were deeper causes also at work. The standards of living in the community outside the college halls were rising, and more and more youths were entering the University from comfortable and even wealthy homes — youths imbued moreover with their full share of the fast-increasing spirit of American independence. Among these up-to-date young gentlemen and their friends the absurdly antiquated management of Commons, their mean and monotonous meals, slovenly service, and clownish cookery, combined with the irritation of compulsory attendance (which from about 1765, as we have seen, began to be much more strictly enforced) and the constant nagging of tutors and monitors — the whole more appropriate to a gaol than to "the seat of the

¹ *Harv. Alumni Bulletin*, xxii, 302.

Muses" — produced the consequences that might have been foreseen. A long series of "food rebellions" began, which grew more and more rampageous and uncontrollable, and ended only with the final downfall of the system, a consummation to which they contributed no small part.

These demonstrations sometimes took the form of what would be known to-day as a "walk-out," when the whole assemblage of diners, aggrieved at some particularly noisome dish, trooped from the hall. Sometimes they assumed the proportions of a long and obstinate "strike," when students and Faculty were pitted against each other in a desperate deadlock, during which, on more than one occasion, the Faculty came within an ace of losing the fight.

The Great Butter Rebellion of 1766 is a case in point. Here the students had a cause of offence that smelt to Heaven as rank as that of "Hamlet." Even the Corporation admitted that something was wrong, but insisted that the objectors should have confined themselves to complaints in form and manner prescribed. The objectors, on the other hand, having tried complaints without avail, did not stop there, but entered upon a course of "violent, illegal, and insulting proceedings" that "took more than a month to quell."¹ The tutors were hissed

¹ Quincy, *Hist. Harv. Univ.*, ii, 99.

or ironically applauded as they left the hall; indignation meetings were held in Holden Chapel, whence the huzzas of the rioters "could be heard in the town"; "unlawful" resolutions were passed; and the favorite threat of leaving College was freely indulged in. The ringleaders, Asa Dunbar, Daniel Johnson, and Thomas Hodgson, all seniors, refused to confess or apologize. At length the Corporation, at their wits' end, had recourse to the unprecedented and humiliating step of invoking the aid of the Royal Governor, Sir Francis Bernard, as chairman of the Overseers, "to read the Overseers' resolutions to the students in chapel, and enforce them as he shall think proper." That must have been a tense moment in chapel! If the Governor should fail, nothing but the King in Council, for aught that could be seen, would stand between Harvard College and perdition. But the courtly Sir Francis rose to the occasion, and the rebels saw the light — or enough of it to refrain thenceforward from any "remarkable disorders."

This rebellion was the first real test between the scholars and the governing bodies — what the lawyers term a case of novel impression. As such, in spite of its ridiculous cause, it was treated by both parties with preternatural gravity, and brought forth a mass of documents on each side. The one gleam of humor that illuminates them came, as might be expected, from the

students. It was in the form of a biblical parody, which is noteworthy not only as showing the irreverent attitude produced by a long course of compulsory scriptural training, but also as giving us quite a new idea of the flexibility of the undergraduate wit of the day. It is entitled "The Book of Harvard," and begins:

1. And it came to pass in the ninth Month, on the 23d Day of the Month, the Sons of Harvard murmured and said,

2. Behold! bad and unwholesome Butter is served out unto us daily; now therefore let us depute Asa, the Scribe, to go unto our Rulers, & seek Redress.

3. Then arose Asa, the Scribe, and went unto Belcher, the Ruler [Belcher Hancock, senior tutor, in charge of Commons], & said behold our Butter stinketh, and we cannot eat thereof; now give us, we pray thee, Butter that stinketh not.

4. And Belcher, the Ruler, said, trouble me not, but begone unto thine own place; but Asa obeyed him not.

5. So when Belcher and others of the Rulers departed, the Sons of Harvard clapped their Hands, & hissed & cried, aha! aha!

And concludes:

16. Afterwards the Rulers had many consultations, & determined to call together the great Sanhedrim [Overseers] of Harvard to consult with them.

17. So on the 10th Month, and on the 11th day of the Month the great Sanhedrim of Harvard met and caused Daniel to confess, and after Daniel many more were prevailed upon by the Threatenings of the members of the great Sanhedrim & confessed also.

18. So after this there were no more Murmurings in Harvard, but all was Peace and Quietness as it is to this Day.¹

¹ See a very full account of this rebellion, by W. C. Lane (H. C. 1881), in *Colonial Soc. Transactions*, x, 33.

An unusually mature and methodical protest occurred in 1807. "Owing to the serious defects¹ in the quality and character of Commons, which seem to have continued for a considerable period without amendment," the three lower classes, ignoring the "immediate government," or Faculty (who were by that date in charge of such matters), drew up a formal appeal to the Corporation direct. The Corporation expressed its sympathy by requesting the President (Webber) "to see that all reasonable relief was granted"; but as no immediate results were observable the complainants became restive. After a week of turbulent outbreaks the lower classmen held a solemn conclave, and determined to leave the justice of their case to the seniors (who had so far held aloof) and to be guided by them. At dinner-time accordingly all eyes turned on the graduating class. Those immemorial arbiters of undergraduate opinion

¹ The participants in this crisis always referred to it as "The Rotten Cabbage Rebellion." From traditions in the Channing and Dana families, kindly communicated to me, it appears that another exciting cause was a too-liberal garnishing of maggots in the soup. When this was repeated *ad nauseam*, a group of hardy souls, all juniors, volunteered to call on the President and submit to him a sample of the concoction. Walter Channing carried the soup-tureen, his brother Edward Tyrrel Channing stirred up the maggots with a ladle, and Richard Henry Dana acted as spokesman. All three refused to apologize, and were dismissed from college. They were fully upheld by their families, and Dana's father declared he would have disowned the boy had he acted otherwise. Sixty years later, including nearly thirty as Dean of the Medical School, Walter Channing was given his A.B. in 1867. Dana was given his in 1866. E. T. Channing, though Boylston Professor of Rhetoric from 1819 to 1851, never received his A.B. at all.

took their seats, sniffed, tasted, consulted — and then with one accord arose and marched out of the hall, immediately followed by all the rest.

For this deliberate affront the Faculty retaliated, with about the intelligence of the man who cut off his nose to spite his face, by closing Commons altogether for the time being,¹ and demanding a written apology from every member of the College within one week, under penalty of dismissal. But the students, who were now perforce faring sumptuously at the much-prized boarding-houses, showed no very keen desire to rivet the fetters of Commons upon themselves once more. The Faculty became seriously alarmed, parents and friends were appealed to, and every possible pressure was brought to bear upon the malcontents. At the end of the week so few had recanted that to save the College from practical dissolution an extension was granted, and superhuman efforts were put forth. At the courthouse in the Square, as on a sort of dignified neutral ground, formal negotiations were opened between the Faculty and the families of the transgressors, with a view to conciliating their erring offspring. Mothers wept. Fathers swore. Finally seventeen obdurate

¹ The weakness of the Faculty may be seen from the excuse they gave for this action — that it was necessary to frustrate a plot to raid the kitchen and strew the Yard with food. See *Mass. Hist. Soc. Proceedings*, 2d Series, v, 172.

spirits were dismissed, the rest apologized, and a semblance of discipline was restored — but Commons were soon as bad as ever! ¹

As in other rebellions of this period, each side sought to justify itself before the public — which was assumed to have a burning interest in the matter — by leaping into print. Joseph Tufts, the first scholar in the senior class, and hence the most influential undergraduate, published (in Boston) on April 13, “Don Quixots [*sic*] at College, or a History of the Gallant Adventures lately achieved by the Combined Students of Harvard University; Interspeded with some Facetious Reasonings.” This pamphlet contains some excellent fooling. On April 11, it states, at the end of the first week allowed by the Faculty for signing the apology, the scholars gathered at 20 Stoughton, and a score of them swore “to sign no governmental paper whatever.” A few of these heroes subsequently gave in; whereupon their leader was so affected that the next night he wandered into the adjacent graveyard and “stood upon a tomb, and thought that if he was on a bridge he should leap into the river.”

Only three days after this skit, the Faculty issued a solemn counterblast, entitled “Narrative of the Proceedings of the Corporation of Harvard College, relative to

¹ “About one whole month was worse than lost by these unhappy strifes and combinations.” Willard, *Memories of Youth and Manhood*, ii, 199.

the late Disorders in that Seminary." By this it appears that at the end of the first week 74 students had signed the apology, 45 were "not implicated" (probably boarding out), and 99, of whom 22 were "unconnected" with the disturbance, had not signed—a total of 218, the same number mentioned by Tufts. Unfortunately, both parties were in such a desperate hurry that their publications were equally premature, got out during the first lull in the conflict, so that neither describes the extraordinary Conciliation Congress, although the Faculty's narrative was obviously intended to influence the parents, and concludes with the confident prediction that the rest of the malcontents would soon sign.

Such were some of the gravest crises suffered by the College in maintaining its idea of Commons. The simplest and most popular expression of disapproval of the food, however, consisted in impromptu bombardments, when the offending meats, pies, and puddings (admirably adapted, it must be confessed, for missiles) were hurled about the room, followed in the more acute manifestations by the tableware and utensils. Vivid descriptions of these occasions abound in the records and traditions of the times. At New Haven, "600 tumblers, 30 coffee-pots, etc. were destroyed or carried off in a single term" of the early 1800's;¹ while at Cam-

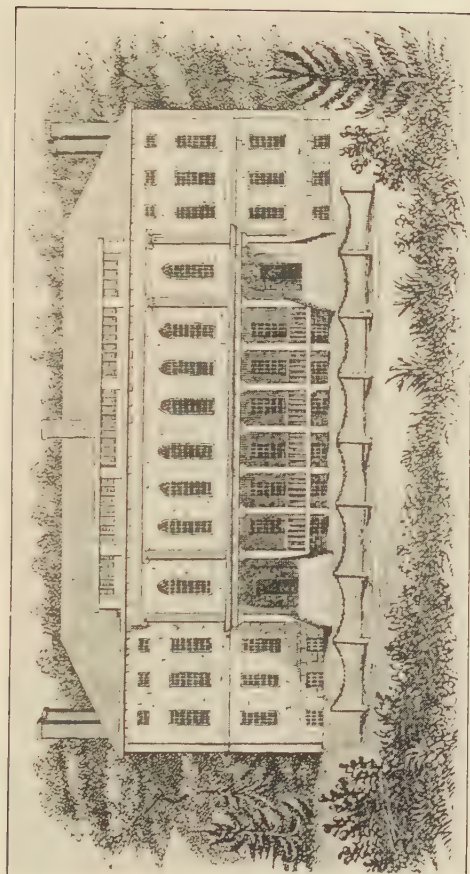
¹ Mitchell, *Reminiscences . . . in [Yale] College*, 116.

bridge, in the midst of a particularly lively fusillade, a tutor left the hall declaring he could not breathe in an atmosphere of crockery.¹ After another outbreak, a champion named Pratt was suspended, on the charge that he "did publicly in Hall insult the authority of the College by hitting one of the Officers with a potatoe"² — perhaps peeled by himself but undoubtedly mashed on the Officer. (The crime, it will be noted, consisted in being a good shot: if Pratt had missed the Officer, very little would have been thought of it — and he might have got back his potato.) It was during one of these riots that young Prescott, the future historian, was struck in the eye by a piece of flintlike bread, an injury that ultimately caused his total blindness.

Besides these more stereotyped forms of revolt, the exasperated students flouted the discipline of the dining-hall by every variety of misconduct. The unfortunate tutors came in for all manner of contumely. Concerted shufflings on the sanded floor and long-drawn scrapings of chairs raised a devilish din. In 1807, "segars" were openly and defiantly smoked at evening Commons, probably disturbing the smokers quite as much as the "immediate government." A more ingenious plan for exciting a general upheaval was carried out in 1791,

¹ Palfrey, "Reminiscences of Harvard," *Harv. Register*, ii, 175.

² *Harvard Book*, ii, 108.



UNIVERSITY HALL, WHEN USED FOR COMMONS

when some young rascals contrived to slip six hundred grains of tartar emetic into the copper where the morning's coffee was boiling. Before breakfast was half over the entire personnel had rushed precipitately from the hall — including the conspirators, who to avoid suspicion had taken twice as much coffee as anyone else.¹ That this hell-brew was drunk unsuspectingly by everybody affords a singular commentary on the ordinary flavor of the morning beverage to which the College was then accustomed.

By 1812, the encroachments of the increasing library and apparatus threatened to squeeze Commons out of Harvard Hall, and the Corporation appointed a committee "to devise the form and site of a building in the College grounds to include a Commons hall." This resulted in the erection of University Hall, wherein the whole first floor and basement were specially arranged for dining purposes, and in the transfer of the Commons thither in 1816. With the fatuous hope of preventing further disorder, the meals were now served in four separate rooms, one for each class. But like gunpowder placed in enclosed chambers, the explosions were only the more violent. Circular windows, suggesting overgrown portholes — still easily recognizable — had been cut in the partitions, and through these and the open

¹ From a MS. journal, quoted in Hall, *College Words and Customs*, 181.

doorways the warfare went merrily on, potatoes reeking with gravy forming a favorite ammunition. At the premature close of a meal, these fights frequently overflowed into the piazza which then extended across the front of the edifice.¹

Moreover, by the new method of segregation, class feeling was now added to the other inciting causes. That indeed was at the bottom of one of the most famous of the later "strikes," commemorated in a long satiric poem, "The Rebelliad," much admired in its day. The affair began by a food-fight between the freshmen and the sophomores at Sunday evening Commons in 1819:

When Nathan threw a piece of bread
And hit Abijah on the head,
The wrathful freshman, in a trice,
Sent back another bigger slice,
Which, being buttered pretty well,
Made greasy work wher'er it fell.
And thus arose a fearful battle,
The coffee-cups and saucers rattle,
The bread-bowls fly at woeful rate,
And break full many a learned pate.

.
Regardless of their shins and pates,
The bravest seiz'd the butter-plates,
And rushing headlong to the van,
Sustained the conflict man to man.

¹ The removal of this piazza is said to have been due to the almost constant disorders which occurred there. Peabody, *Harvard Reminiscences*, 207.

A sort of scholastic Walpurgis Night ensued; the offenders danced around the "Rebellion Tree" amid the blazing of bonfires; for the next week or more all restraint went down the wind; college exercises (as well as many collegians) were suspended; and in a climax of resentment the entire sophomore class actually carried out the favorite threat of mutinous collegians, and left Cambridge, eighty strong. The best part of a fortnight was consumed in coaxing a score or so back again. Upon the remainder expulsions and dismissals rained so thick that the class graduated with only thirty-five members. (The Quinquennial shows that twenty-nine others were subsequently pardoned, and received their degrees from twenty to thirty years late.)¹

Enough, and more than enough, has been related to give an idea of the results on the discipline and reputation of the College, and on the inculcation of the good manners and urbanity that ever mark the college graduate — apart from the purely physiological effects — arising from the inconceivable tenacity (to use no harder word) with which the "immediate government" clung to the early New England tradition of feeding its students poorly and inadequately.² It should be re-

¹ See A. B. Muzzey's reminiscences, *Harv. Monthly*, xiii, 185; *Harv. Register*, iii, 254.

² In the nineteenth century rebellions were almost a matter of course, and it was assumed that there would be at least one in every college generation of four years. *Harv. Register*, *ubi sup.*

corded to the credit of President Quincy, the ablest man of affairs and the greatest administrator Harvard had ever known, that among his multitudinous reforms he made earnest efforts to improve the dignity and prestige of Commons. He even imported from England a complete set of table silver embossed with the college seal, and a service of china-ware ornamented with views of the various college buildings.¹

But such superficial amenities came too late in the life of a waning institution. Self-respecting students withdrew more and more to the peace and plenty of the private boarding-houses. Commons shrank into two rooms, and finally descended into the basement next the kitchen. There they were abandoned, as has been told, to the ingenious but futile experimentation of a private *concessionnaire*. "Under new management" they failed to regain their old importance, and became virtually nothing but one of the numerous eating-places of the town. At length in their gloomy cavern they quietly expired during the spring of 1849, with the well-justified epitaph, pronounced by President Sparks — "It is improbable that the Commons will again be revived."²

¹ During the exigencies of the Civil War this silver was sold at auction. A few of the spoons are preserved among the college plate, and for the privilege of making the accompanying illustration I am indebted to the unfailing courtesy of Mr. Charles F. Mason, Bursar. For an amusing charge by Joseph H. Choate that President Eliot had annexed some spoons, see *Harv. Alumni Bulletin*, xviii, 114.

² Annual Report of the President, 1849. Eight years later the Faculty



PLATE FROM THE DINNER SERVICE
IMPORTED BY PRESIDENT QUINCY



HANDLE OF SPOON, FROM SILVERWARE
IMPORTED BY PRESIDENT QUINCY

Actual Size

In summing up the fortunes of this nutritive enterprise, the annalist who is an amateur of the curious and the coincident can hardly fail to notice that the history of Commons at Harvard seems to fall into four periods, closely corresponding to the terms of occupancy of the four buildings which successively sheltered the scheme. The first, during which Commons were served in the original "House," extends from the beginning to about 1680. In these forty years the normal English plan was followed with but few modifications. Not much is known of this poverty-stricken epoch; but partly from that very fact we may infer that it was the heyday of the system, at least in a comparative sense — that is to say, that the scholars were fed no worse than they were lodged, warmed, lighted, disciplined, and instructed.

The second period covers the eighty-odd years during which the first Harvard Hall was in use. This, especially in its later stages, may be termed the era of weakness. Commons failed to keep pace with the general growth of the College, and were more and more neglected; the traditional system was much relaxed and required increasing efforts to be kept alive at all.

The third period includes the fifty years (1766–1816)

tried a "college restaurant" at the old Brattle Hotel, on the site of the present Post Office, but soon abandoned the scheme. Thayer, *Historical Sketch of Harvard University*, 43; *Centennial Hist. of Harv. Law School*, 377.

in which Commons occupied the second Harvard Hall.¹ Dining accommodations were now ample for the whole College. This was the time of storm and stress, marked by bungling but determined attempts on the part of the authorities to enforce the rules, and by almost equally determined opposition on the part of the commoners. Two great wars, during this interval, convulsed the community without the college walls, while within them occurred repeated conflicts of fully proportionate severity.

The last period, that of the "decline and fall," opens with the transfer of Commons to University Hall, and includes about a third of a century. By this stage the whole business had become a white elephant, and the authorities withdrew more and more from its management; until, under the equally inexpert hands of outside speculators, it proved a flat failure, and was abandoned as a total wreck.

So perished the long-continued and desperate effort to engraft upon the American university one of the most wholesome, delightful, and permanent elements of the English college. And yet the judicious critic will remark that it was not the true system of Commons that

¹ In the interval between the burning of the first and the completion of the second Harvard Hall, Commons were held in the ground floor of the southern entry of Hollis, room number 1 being the buttery, and 2 and 4 the dining-rooms. Colonial Soc. *Transactions*, x, 35 n.

was finally given over, but a strange emasculated travesty, from which virtually every original and characteristic feature had been gradually stripped away. Some had proved obviously unsuitable to American conditions, but most had succumbed to the typical American passion for "scrapping" anything with the least flavor of antiquity. The more radical changes began to appear, like other social alterations, about the middle of the eighteenth century, when the English colonies showed signs of striking out for themselves and developing national peculiarities of their own. From that time forward the excisions increased in importance and frequency until the end. The fellow commoners were probably the first to go, then bevers, then breakfast in chambers, then the Steward, then the but-tery, the Butler, and the old "Brown October" (commuted to the national ice-water), then a general table for all classes, then the student waiters,¹ and last the enforced attendance.

At the same time the other and equally typical American traits of carelessness and impatience of restraint had subverted the spirit of the institution; the cheerful, decorous dining-hall of the British tradition ² had fallen

¹ Reverend John Pierce of 1793, for fifty years Chorister of the Commencement dinners, records in 1812, "The students did not wait, as formerly." *Mass. Hist. Soc. Proceedings*, 2d Series, v, 177.

² In 1767, Framlingham Willis, of Caius College, Cambridge, writes to a

to a frowsy sort of human bear-garden, and the least cause of dissatisfaction had become the excuse for disgraceful insubordination. In fine, the elaborate and highly developed system which in the mother country was knit into the very life of the university had degenerated into a cheap and casual cook-shop.

There seems to have been no good reason why, in place of this steady disintegration, a process of gradual substitution and adaptation should not have built up an American system of Commons, as successful in its new environment as the English system in the old world—or rather, there was a reason only too good, the same reason assigned by every investigator as the basic cause of the failure of Commons at Harvard, persistent mismanagement under the fixed delusion of a false economy. The correctness of this diagnosis is shown by the subsequent history of communal eating at the University, which is too well known and too recent to require more than a few words in conclusion.

For some years after the closing of Commons there was no centralized dining—except in the extremely modified form of “club tables,” organized here and there by groups of congenial classmates, and long retaining

friend: “At half an hour after twelve my hair-dresser comes to me, and I begin to dress for commons. You will be obliged to comply with the custom of putting on a clean shirt every day and of having your hair dressed.” Venn, *Early Collegiate Life*, 247.



The pursuit of knowledge in spite of difficulties is strikingly exemplified in the case of the students who board themselves.

"BOARDING YOURSELF"

their popularity with the more affluent. In this inter-regnum the boarding-house keepers waxed fat if their boarders did not. True to prediction, board prices immediately rose, and the poorer students were faced with a serious problem. The deplorable practice of "boarding yourself" came into vogue. An undergraduate in 1858 has left a heart-breaking account of what could be done with Indian meal over one's study fire. For \$9 a term, he asserts proudly, you could get along quite well; and with fine Harvard democracy he adds, "nobody thinks the worse of you."¹

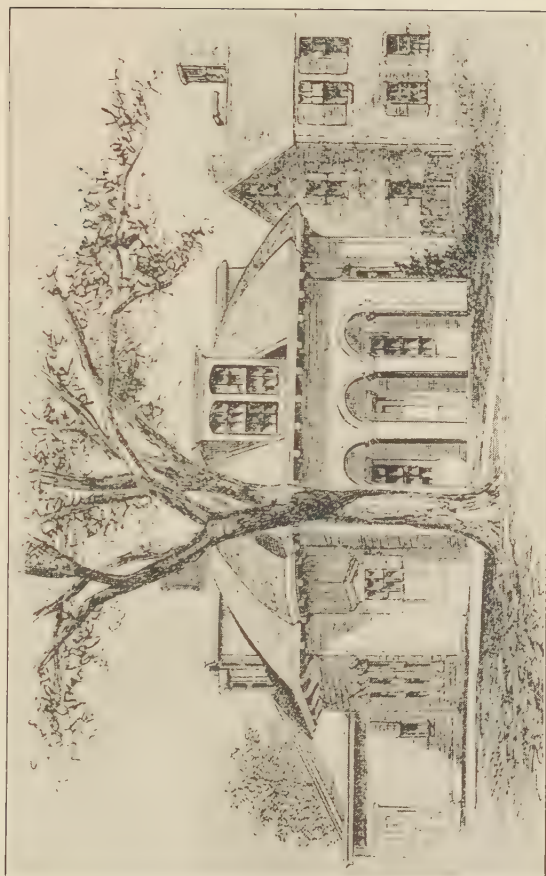
These conditions sorely troubled the Faculty, which now included men of big hearts as well as big brains. "Good Dr. Peabody," especially, set himself to solve the problem. It happened that the "Harvard Branch Railway" — whose history is a tale by itself — had just been forced out of business by the new invention of horse-cars, and its terminal station (on the site of Austin Hall) was standing vacant. This Dr. Peabody hired in 1865, and with the generous assistance of Nathaniel Thayer, donor of Thayer Hall, initiated a new venture in the commissariat field. It was christened "Thayer Commons," but was really an independent voluntary dining association, managed by its own directors, on strictly business lines, at a low cost, *without profit*, and

¹ S. W. Driver, of 1860, in *Harv. Magazine*, iv, 275.

with the motto, "Plain food and plenty of it." Another departure from the traditional system was a strong feminine element. The supervision of the hall was entrusted to the *Regina Bonarum*, or "Queen of the Goodies"; and the tables were served by waitresses, "carefully selected for their want of personal pulchritude."¹

The success of the production, as theatrical agents say, was immediate and phenomenal — the instant triumph of common sense. The hall was enlarged, a waiting list was formed, and the managers were put to their trumps to accommodate the crowds who still clamored for admission. In 1874, at the suggestion of President Eliot, who had been making extensive investigations on the subject both here and abroad, the concern was reorganized, expanded, and placed in the magnificent nave of Memorial Hall — which, strange as it now appears, was originally planned for nothing but the annual Commencement dinner. The demand for a similar dining place on the *à la carte* principle led to the founding of the Foxcroft Club, and later to the erection of the spacious Randall Hall, the first edifice in the University built wholly for a refectory (now supplanted by the "Memorial Cafeteria"). All these, supplemented by the excellent restaurant of the Harvard Union, etc.,

¹ See Hall, "Commons," *Harvard Book*, ii, 115; Almy, "Harvard in the Late Sixties," *Harv. Alumni Bulletin*, xxiv, 802.



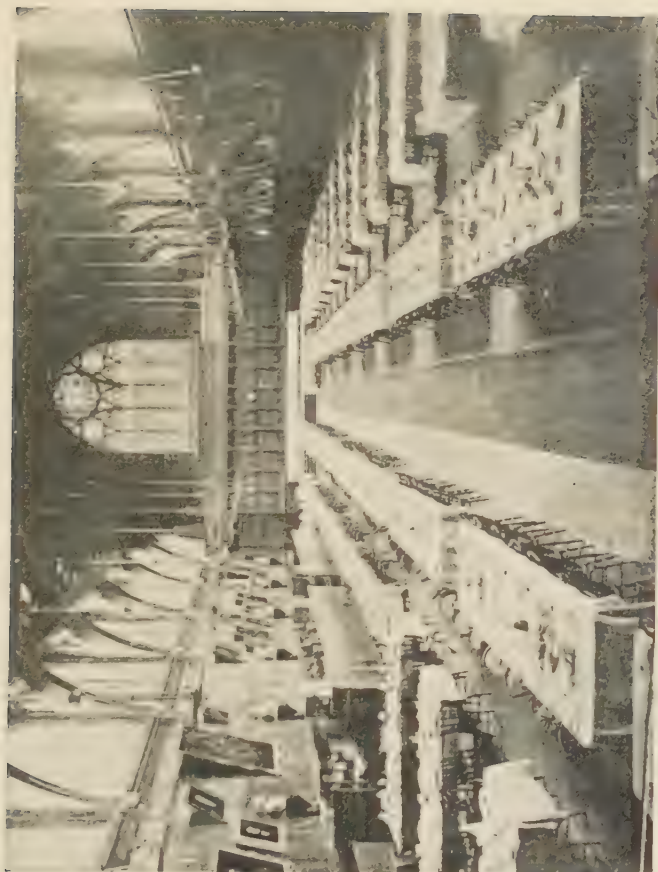
"THAYER COMMONS" ABOUT 1870

The addition appears at the left.

show that collegians can be well and cheaply fed if proper business methods are employed, and if the college authorities exercise no more than a general supervision.

The most interesting development of the present day, as already hinted, has been the return to the principle of the English system in its true intramural form, at the Freshman Dormitories. Here to be sure is no buttery, or service of meals in chambers, and the element of compulsion is supplied only by the rule that every man must pay for his Commons whether present or not; but the success of the plan is unquestioned. It suggests in fact the interesting speculation whether the same system could not be applied in other dormitories, or groups of dormitories, especially those devoted to a single class. Something of the sort was contemplated when Holyoke House was built in 1871, with a set of dining-rooms on the main floor¹—but that was too far in advance of the movement. It seems not unlikely that the reawakening of class spirit, coupled with the decline of the club table, the discomforts of “eating ’round,” and the strong tendency of undergraduates to follow the line of least resistance, would now make the idea feasible. Time, that great expositor, will tell.

¹ *Harvard Book*, ii, 48.



MEMORIAL HALL IN 1875

Note survival of "high table" at end, and of "screen" at left.

HARVARD HOSPITAL-SURGEONS
OF 1775

V

HARVARD HOSPITAL-SURGEONS OF 1775

ALTHOUGH the founding of the Harvard Medical School in 1782 is usually looked upon as the beginning of medical interests in the University, yet for that epoch-making step the way was paved by the notably large part taken by Harvard men in the formation of the Hospital Department of the American Army at the outbreak of the Revolutionary War.

Even before that date there were signs at Cambridge of an awakening enthusiasm in matters medical. From somewhat obscure references it would seem that John Warren, of the class of 1771, the future founder of the School, had started an "Anatomical Society" among the undergraduates of his time. Its members, besides Warren, included Jonathan Norwood, '71, Samuel Adams, '70 (son of the great Sam of '40), Ebenezer Allen, '71, David Townsend, '70 (and honorary M.D. 1813), William Eustis, '72 (and LL.D. 1823), and probably others. Their meetings, owing to the prejudices of the times, were perforce of a semi-secret nature. They possessed

a skeleton, and dissected whatever they could lay their hands on, chiefly horses and dogs: actual cadavers were almost impossible to obtain, though a long letter describes their frantic efforts to secure the body of a criminal who had been hanged.¹

The scientific ardor thus early enkindled did not abate after graduation; almost every one of the group studied medicine under the illustrious Dr. Joseph Warren of '59, John's older brother (who was probably the *causa causans* of the whole matter), and entered active practice. It may have been owing to their instigation and example that "Mr. Dasturge," a physician and surgeon from Paris, who had drifted into Boston, advertised in the papers of November, 1774, proposing that the local doctors should "meet and form a Corps," build an amphitheatre, begin a series of lectures, and even open a botanic garden!² But popular interest in medicine was at a low ebb; besides, Bostonians at that juncture had other things to think of, and the project of the ambitious Gaul fell flat.

¹ *Life of John Warren*, 23, 26, 227, 233. The idea of medical instruction at Harvard had been in the air for several years. In 1765 Dr. John Perkins of Boston had written that there ought to be "a well judged and intelligent practice of physic, particularly to have a professor at our College . . . that those designed for the business might be instructed in the true principles and theory. . . . Few besides physicians of long experience can be sensible of the importance of such an institution." Cf. also Isaac Royall's will, page 196, *post*.

² *Massachusetts Gazette & Boston Post Boy*, November 28, 1774.



DR. JOHN WARREN, A.B. 1771
1753-1815



DR. WILLIAM EUSTIS, A.B. 1772
1753-1825

The unhappy consequences of this general lack of intelligent appreciation of the importance of the healing art were soon revealed by the ruthless hand of war. The Battle of Lexington brought out the disquieting fact that the Massachusetts authorities, although in most military branches they had made detailed arrangements for the coming conflict, had entirely forgotten to organize any hospital department, and had nothing to rely on but a few volunteer regimental surgeons, ill-trained and worse-equipped. (Precisely the same omission occurred when the Continental Congress enacted the first general army "establishment.") It was the old, old story of "unpreparedness" — old, yet ever new in our national experience.

In that first skirmish, it is true, the American wounded were a mere handful, and were mostly taken to their own homes nearby and treated by their own family doctors. But the British wounded who fell by the wayside numbered at least two or three score, almost all serious cases, who had of necessity been abandoned by their retreating comrades. They caused their captors no little concern. One of the first orders of the Council of War after the fight was "that the officers of the guards who have care of prisoners . . . procure good surgeons to attend the wounded." ¹

¹ April 21, 1775. Henshaw's Orderly Book, in *Mass. Hist. Soc. Proceedings*, xv, 89.

The principal physician engaged under this order was Dr. Isaac Foster, Jr., of Charlestown, a Harvard graduate of the class of 1758, a member of the Provincial Congress, and a doctor of excellent reputation. His first proceeding seems to have been to collect his scattered charges and set up a kind of rough hospital in the fine old mansion on "Tory Row" (now number 96 Brattle Street) belonging to Penelope, relict of Colonel Henry Vassall. Being a loyalist, she had sought the protection of General Gage in Boston; and her deserted dwelling, from its size and central situation, offered an excellent location for the purpose desired. On April 29 Dr. Foster received confirmatory orders "to remove all the sick and wounded, whose circumstances will admit of it, into the hospital."¹ This establishment, the nucleus of the future Medical Department, soon began adding to its first red-coated inmates the sufferers from fever, dysentery, and the other forms of illness that rapidly developed in the none-too-cleanly camp of the Yankee militia. For the next two months it appears to have been the main sick-bay of the "army."

Foster's chief coadjutor was naturally the man already on the ground, Dr. William Gamage of the class of 1767, the regular Cambridge practitioner. He was an allopath of the allopaths. "His lavish over-medi-

¹ Lincoln, *Journals Massachusetts Provincial Congress*, 527.

cation," says A. P. Peabody, who in his youth knew the old gentleman to his cost, "gained for him unbounded popularity with the many who used a quantitative standard in estimating a physician's skill, and left traditions transcending easy belief in the succeeding generation."¹ This style of treatment was of course encouraged by the custom then in vogue whereby a doctor charged, not for his visits to a patient but for the medicine he supplied to him. Gamage's bill to "The Colony of Massachusetts Bay" — "From The 19th of April to 17th of August 1775" — is still preserved, and is of unique interest as the earliest known document of its kind in the medical history of the Revolution. According to the custom, he makes no charge for "Attending Upon The sick And Wounded in The Provincial Army, And Upon The Wounded Regulars"; but for "Medicine Advanced for The Wounded Regulars, in April 1775" sets down items totalling 15*s.* 7*d.*, and for "Medicine Advanced for The Provincial Army in April & May, 1775" makes a footing of 14*s.* 8*d.*² The 17th of August probably marks the date when he ceased to prescribe as a semi-independent civilian, and became a regular hospital mate, as noted hereafter. He did not follow the army when it left Cambridge, but con-

¹ *Harvard Graduates Whom I Have Known*, 7.

² Mass. Archives, 256/71.

tinued his undisputed sway as the medical autocrat of the town until his death in 1821.¹

Foster brought with him from Charlestown his apprentice, Josiah Bartlett. His father (like Foster's) was

¹ Gamage was a character worthy the pen of Cervantes or Molière, and left behind him a deeper impression than any other physician of his time. In his last years his personality was indelibly stamped upon the childish memories of both the Holmes brothers. Oliver Wendell Holmes delineates him thus: "Grim, taciturn, rough in aspect, his visits to the household were the nightmare of the nursery. He would look at the tongue, feel of the pulse, and shake from one of his phials a horrible mound of powdered ipecac, or a revolting heap of rhubarb — good stirring remedies that meant business, but left a flavor behind them which embittered the recollections of childhood. This was the kind of practice many patients preferred in those days; they liked to know they had taken something energetic and active, — of which fact they were soon satisfied after one of Dr. Gamage's prescriptions." (In Winsor, *Memorial History of Boston*, iv, 564. Ferocious autograph of Gamage, *Ibid.*, iii, 111.)

John Holmes puts his reminiscences into the mouth of his "Cambridge Robinson Crusoe":—"Oh, Dr. Gamage! He and his old yellow mare's about as tough as anything in Cambridge. What a pair they be! She is rhubarb color, and his old surtout is just the color of ipecac. Oh, don't he give a feller the stuff! O Lor! his ipecac! it's just like letting a cat down into a feller's stomach and pulling her out by the tail. I do declare, Captain, fur off as I am, it gives me a sort of a twist inside when I think of it." (In H. L. Reed, *The City and the Sea*, 26.) John Holmes's imitation of Gamage making a professional call was something never to be forgotten by the few who were privileged to behold it.

Dr. H. P. Walcott (H. C. 1858) from his rich traditional lore supplies me with the following example of the doctor's methods: Miss Eliza Ware, who lived as a child in the old Waterhouse cottage, remembered Gamage well. He used to wear an enormous waistcoat reaching almost to his knees, with some twenty small pockets, each containing a different drug in powdered form. On one occasion she had a fever. Dr. Gamage was summoned, and after a brief examination growled, "Better have a little jalap." He fumbled in a certain pocket, brought out a pinch of jalap, called for a glass of water, dropped in the nauseous purge, stirred it with an abominably dirty forefinger, and ordered, "Now, little girl, drink this!"



JOSIAH BARTLETT, M.D. (HON.) 1809
1759-1820



DR. ISAAC HURD, A.B. 1776
1756-1844

a sea-captain — a picturesque but precarious profession — so that, owing to parental impecuniosity, the boy had been obliged to leave college and become pill-roller to his neighbor, the doctor. In this capacity he does not appear by any means to have set the Thames on fire. By his master's influence he was later worked into the Medical Corps as a surgeon's mate. There he remained for five years, till, apparently despairing of promotion, he obeyed an inherited impulse and shipped as surgeon on a privateer for the rest of the war. Notwithstanding this jejune beginning, he attained, in later life, considerable fame as physician, essayist, and statesman. He was a member of sundry learned societies, served in the Massachusetts Senate and Council, and received from Harvard an honorary M.B. in 1791 and an honorary M.D. in 1809. As a family man he had the enviable record of sixteen children, winding up with twins. His greatest failing was an incurable itch for public speaking; he gloried in the dubious distinction of having delivered more orations, on a larger assortment of topics, than any of his contemporaries. In 1820, however, he reached his final peroration.¹

¹ See Harrington, *History of the Harvard Medical School*, i, 234; Mass. Hist. Soc. *Proceedings*, i, 323; *Memoirs of the Social Circle of Concord*, 2d Series (1888), 172; Wyman, *Genealogies of Charlestown*, 64; *Boston Medical and Surgical Journal*, xcii, 728; Thacher, *Medical Biographies*, i, 150; Pension Office Records, Revolutionary Claim S. 1634.

Until the middle of June Dr. Foster devoted most of his time to the hospital, if such it might be called; but he acted purely in an individual capacity, and, besides Dr. Gamage, any other practitioner was at liberty to visit and prescribe for any patient. Everything was entirely informal and fortuitous. No attempt was made to stabilize or systematize the service. Foster unluckily did not add to his professional attributes the gift of organization, or indeed the power of ordinary forethought. He secured no regular staff, accumulated no medical supplies, and arranged for no expansion of the hospital accommodations. Yet this should not, perhaps, be imputed against him. He was only a sort of contract surgeon, and had received no instructions from his employers. For, in spite of the warning of Lexington, the Provincial Congress, although composed largely of doctors, still took no steps to form a proper medical corps for their rapidly increasing forces.

This characteristic apathy toward sanitary matters rested, after all, on a foundation of ignorance. The functions of a military hospital were then very imperfectly understood. A few veterans of the Old French War, fifteen or twenty years before, might recall the medical arrangements of the British troops with whom they had served — arrangements which seem to have been of unusual completeness and excellence. (It was

in these campaigns that Dr. John Morgan had his first field training as a military surgeon.) Beyond those traditions, though, there was nothing to build upon. Even of the ordinary civilian hospitals, not an example existed in New England; there were only two or three in all America. The only thing remotely resembling them that was familiar to the northern colonies was the occasional collection of patients for an "inoculation party" against the smallpox. And thus the Vassall house was at first regarded merely as a gathering-place for the invalids of the camps, where they might be treated by the wholesale, so to speak, more conveniently than if separated.

The Battle of Bunker Hill blew this theory to bits. A sudden flood of over three hundred wounded inundated the camp. Dreadful confusion and distress resulted. To crown all, a terrifying rumor spread like wildfire that the British intended to press home their victory by attacking Cambridge itself. Many of the wounded were carted out to Watertown, where the Provincial Congress was sitting, and then inconsequently carted back again. Finally those who could not be sent home were deposited in a number of farm-houses hastily commandeered at North Cambridge and Arlington (then called Menotomy), whither the inmates of the Vassall house were also hurried.

In the general trepidation proper surgeons and nurses could not be procured, and Foster was fain to collect a group of Harvard undergraduates, mere boys in their teens, to make shift as "surgeons' assistants." As college had already been adjourned, in order to give up the buildings to the soldiery, he had little difficulty in securing volunteers from the students who were hanging about the camp. Among them were Elijah Jones of Stoughton,¹ who was just finishing his senior year, but who, in the universal dislocation of the routine, never received his degree; Benjamin Stone of Shrewsbury, a member of the class of 1776, who afterward became the first master of Leicester Academy; Timothy Harrington of Lancaster, also a junior, who, profiting by the experience then gained, took up the study of medicine and was for many years the doctor at Chelmsford;² Isaac Hurd of Charlestown, another junior, who likewise became a doctor, practising at Billerica and subsequently at Concord. The last-mentioned attained considerable professional prominence, which was recognized by an honorary M.D. in 1819.³ Isaac Mansfield, Jr.,⁴ of '67, is

¹ See his petition for compensation in Mass. Archives, 183/178.

² Waters, *History of Chelmsford*, 802, 815.

³ See *Centennial of the Social Circle in Concord*, 164; *Harv. Grad. Mag.*, xxvii, 509; Toner, *Medical Men of the Revolution*, 28; Pension Office Records, Revolutionary Claim S. 1769.

⁴ An interesting letter from Mansfield is preserved among the Bourne MSS. in the Harvard Library. It is dated August 12, 1775. He was then in Topsfield, but had evidently just quitted Cambridge, and gives the latest

also mentioned as one of those who "rendered aid to the sick and wounded"; he was from an excellent Marblehead family, ranking sixth in a class of forty-two, according to the social grading then employed in the catalogue. At this time he was officially rated as chaplain of Thomas's regiment; the next year he became the minister at Exeter, New Hampshire, and later rose to be a Justice of the Peace, consequently dignified with the suffix of "Esquire." In 1790 he received an honorary A.M. from Dartmouth.¹

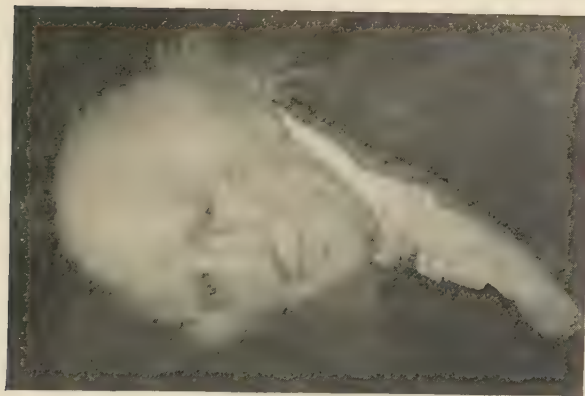
But such a nondescript state of affairs could not continue. The untrained collegians, though zealous, were poor enough substitutes, at best, and must soon return to finish their education. Dr. Foster seemed completely bewildered. Forced therefore into action at last, the Provincial Congress aroused itself and took matters into its own hands. Order was rapidly restored and suitable arrangements were made for the sufferers. Branch hospitals were established at Jamaica Plain for the Roxbury section of the camp, with a natural pre-

gossip there. There is no probability, he says, that the College will be re-assembled either at Andover, Haverhill or Worcester; New Hampton is generally talked of, but the President hopes to have everything in running order at Cambridge again before winter. (Cf. Washington's letter to his wife, June 18, 1775, that he has no doubt of returning safely to her in the fall.) For Mansfield, see also Harv. Quinquennial Catalogue Archives.

¹ Stone later received a compensation of £5.4.0 for his services, Harrington £3.6.8, and Mansfield £7.8.0. *Journals of the Massachusetts House*, November 7, 1775 (p. 238).

dilection for deserted loyalist property — the magnificent mansion of ex-Governor Francis Bernard on the southern shore of Jamaica Pond, and the elegant residences of ex-Collector Benjamin Hallowell and ex-Councillor Joshua Loring near by. A “pest-house” in a retired position on the edge of Fresh Pond was opened for the increasing number of smallpox cases. After the first panic had passed, the main hospital was moved back to Cambridge and enlarged by the addition of several more of the stately old Tory seats, including that of Judge Joseph Lee of the class of 1729 (now number 159 Brattle Street), and that of Lieutenant-Governor Thomas Oliver of 1753, better known to-day as “Elmwood,” the home of James Russell Lowell of 1838. A staff of surgeons and “surgeon’s mates” was duly appointed after examination by a committee of the Congress — an innovation that seems to have caused no little embarrassment and hesitation among the candidates. Like everything else in this intensely “home-made” organization, they were simply local doctors, of proved patriotism; but it is worthy of record that almost to a man they were graduates of Harvard College.

Dr. William Aspinwall, of the class of 1764, was put in charge of the Jamaica Plain hospitals. His patronymic was coeval with the settlement of Boston: he was a patrician in the finest sense of the term. Even in



DR. WILLIAM ASPINWALL, A.B. 1764
1743-1823



DR. LEMUEL HAYWARD, A.B. 1768
1749-1821

those days of high moral standards he was conspicuous for indefatigable industry, piety, and purity of life. Despite the loss of an eye, he was a profound reader and student. After graduating, he had taken pains to qualify himself under the best medical instructors he could find in America — Dr. Benjamin Gale, the smallpox expert, at Killingworth, Conn., and Drs. Morgan and Shippen at Philadelphia. He then set up in business as the first resident physician at his native village of Brookline, where his name is perpetuated in Aspinwall Avenue. His work was remarkable for promptness, fearlessness, and sound discrimination. In smallpox he was generally looked upon as the successor of the famous Boylston, and he is said to have inoculated more persons than any other doctor in the country. With children he was extraordinarily sympathetic and successful; one of his whilom patients used to recall, with delight undiminished by the lapse of three quarters of a century, how the doctor had persuaded him to be inoculated by the irresistible bribe of a puppy.

He remained at his post in the hospital throughout the original emergency of the Siege of Boston, and then returned to private practice. This became so extensive that he frequently rode forty miles in a day's rounds. His probity and sagacity caused him to be repeatedly elected to the Legislature of Massachusetts; he was

thrice a Senator, was a member of the Council, and was offered a position on the bench. In 1808 he received the honorary M.D. from Harvard. After fifty-four years of incessant toil for his fellow men, he went to his reward in 1823, aged eighty.¹

He was ably seconded by Dr. Lemuel Hayward of the class of 1768, a native of Braintree, but then practising at Jamaica Plain itself, after completing his novitiate under the eminent Joseph Warren. He was assigned to the Loring Hospital, while Aspinwall took the Bernard. A pleasant letter from him is on record, showing his solicitude for the mates under his charge; two of them were going up for examination, and he begs that the questions be put to them in such a manner that they might not "be daunted" by the unaccustomed ordeal.² Like Aspinwall, he returned to civil work after the Siege, and also specialized on the all-absorbing subject of smallpox. In 1798 he retired, and lived comfortably for many years in Boston (on the site of the present Hayward Place), "cheerful, kind, hospitable, and full of agreeable and instructive conversation." He was celebrated on both sides of the water, being a member

¹ See Packard, *Medicine in America*, 244; Thacher, *Medical Biographies*, i, 91 (1828); MS. collections in possession of Mrs. Thomas Aspinwall of Brookline, Mass.; Series of articles by "Sigma" in *Boston Evening Transcript* during June, 1857; *Aspinwall Genealogy*, 53; Kelly and Burrage, *American Medical Biographies* (1920), 44.

² Hayward to Warren, January 23, 1776. *Life of John Warren*, 65.

of various medical societies in England, and receiving the honorary M.D. in 1808. No less an authority than Dr. John Morgan certifies that he served in the Hospital Department "with skill, fidelity, and success."¹

The pest-house was placed in the care of Dr. Isaac Rand, Jr., of Charlestown, class of 1761, an interesting character. In college he had shown such proficiency in mathematics that he had been selected in his senior year to accompany Professor Winthrop on the famous expedition to Newfoundland to observe the transit of Venus. Throughout his life he retained his interest in that science, and is said to have striven for years to reduce all medical theory and practice to a mathematical basis. He was a wide general reader and an excellent classicist, author of sundry professional essays, one of the founders of the Massachusetts Medical Society in 1780, and president from 1794 to 1804. In 1799 he was given an honorary M.D., and later was elected an Overseer. In private life he was distinguished for benevolence and good breeding. After the departure of the army for New York he remained behind in Boston, continued to specialize in smallpox, and saw twenty-two years of the new century run out before his death. His latter days

¹ See *Journals Massachusetts Provincial Congress*, 425; Harv. Quinquennial Catalogue Archives; F. S. Drake, *Town of Roxbury*, 427; Thacher, *Medical Biographies*, i, 286 (1828); Pension Office Records, Revolutionary Widow File 3543.

were embittered by the loss of his son, who was killed in a duel with one Miller of Quincy, the result of a quarrel over "an elegant female."¹

Dr. Joseph Hunt of Concord, class of 1770, was selected as mate to Dr. Foster. He remained in the service, apparently, for the first season only, and then returned to the practice he was just building up at Dracut. There he sustained the character of "an upright man in all his dealings, exceedingly close and exact, small in stature, and not gifted by nature with any extraordinary abilities, but anxious to improve such as he had." Unfortunately this anxiety led him a little too far: he was discovered robbing a grave to obtain a subject for dissection; his professional career was nipped in the bud, and he was forced to leave town. He went home to Concord, and, being a notable penman, kept the village school for a few years. He then opened an apothecary's shop, which he must have managed quite in the modern manner, for it yielded him "a genteel support" for the rest of his life, and a handsome competence to his widow.²

¹ See Harrington, *Hist. Harv. Med. School*, i, 215; Thacher, *Medical Biographies*, ii, 13; Kelly and Burrage, *American Medical Biographies* (1920), 955; article by "Sigma," *ubi supra*.

² See *Centennial of the Social Circle in Concord*, 124; Waters, *History of Chelmsford*, 212; Whiting, *Memoirs of Rev. Samuel Whiting*, 220; *Harv. Grad. Mag.*, xxviii, 252.

James Thacher was mate to Dr. Warren — a youngster from a good old Barnstable family, who had just finished his studies with Dr. Hersey there. Though not among the group of undergraduates, he may be described as a near-Harvard man, who in his prime was closely associated with the College, and in 1808 received the honorary A.M., followed in 1810 by the honorary M.D. (which was simultaneously bestowed on him by Dartmouth). Throughout the war he fluctuated between hospital mate and regimental surgeon, was present at West Point at the time of Arnold's treason, and saw Cornwallis surrender at Yorktown. He then settled into country practice at Plymouth, where he died, universally esteemed, at the ripe old age of ninety-one. He is described as small in stature, light and agile in his movements, urbane, kindly, and fond of society. He is, perhaps, the most famous literary man on our list; his "Medical Biographies" and his "Military Diary" have been standard works for more than a century. In the latter, among other good things, he tells the famous story of the young candidate for surgeon—probably himself—who, agitated almost to the point of collapse by his examination before the hospital board, was asked, "In a case of rheumatism, how would you induce a profuse perspiration in the patient?" and who

stammered out, "I would have him examined by this board." ¹

But the greatest accession to the surgeons at this time was young Dr. Warren — "Jack Warren," as he was commonly called — then only twenty-two. After his "Anatomical Society" days as an undergraduate, he had completed his professional studies with his brother Joseph, and had set up for himself at Salem. There he had already made a great name, especially for his almost intuitive powers of diagnosis. When Joseph was killed at Bunker Hill (and it is characteristic of the self-sacrifice which marks his profession that he was the only one of the local insurgent leaders who actually gave up his life for the cause), the younger brother, "in a frenzy of zeal," rushed to Cambridge to volunteer for a place in the fighting line, but was persuaded, to his frequently expressed regret, to take a more appropriate post in the Medical Department. At Cambridge his technical skill and natural leadership, joined to his family prestige, procured for him "the honor to be next on the establishment" to Dr. Foster — and well would it have been if their positions had been reversed! But his youthful

¹ See an excellent notice by Professor N. S. Davis, in Gross, *American Medical Biography*, 488; also Harrington, *Hist. Harv. Med. School*, i, 58; *Boston Medical and Surgical Journal*, cxxiv, 571, 595; *Communications of the Massachusetts Medical Society*, vii, 162; Williams, *American Medical Biography*, 565; Pension Office Records, Revolutionary Claim S. 3788.



JAMES THACHER, M.D. (HON.) 1810
1754-1844



DR. GAD HITCHCOCK, JR., A.B. 1768
1749-1836

impetuosity and advanced ideas seem to have militated against him; he suffered from a course of systematic snubbing; after loyally following the fortunes of the Medical Corps for several years, he was deliberately overlooked by the Continental Congress in the reorganization of the department. This was the last straw, and he returned to Boston, where he received the honorary M.D. in 1786, and became the foremost surgeon of his time, founder of the Harvard Medical School, and first Hersey Professor of Anatomy and Surgery.¹

By the end of July, 1775, the above group of Harvard men (with Samuel Whitwell, a Boston boy who had inexplicably gone to Princeton and graduated there in the previous year, and who was now mate to Dr. Hayward), together with a few lesser lights, made up a hospital staff of six surgeons, four mates, and a "medical commissary and apothecary," young Andrew Craigie, for whom Craigie Street in Cambridge is named. This aggregation, generally denominated the "colony hospital," was under the theoretical supervision of its creator, the Massachusetts Provincial Congress; but it was very loosely organized, was poorly managed by Foster (who indeed had no specific authority over it), was full of

¹ See his *Life*, by his son, Edward Warren; *Reminiscences of Dr. Josiah Bartlett*, Mass. Hist. Soc. *Proceedings*, i, 324; Gross, *American Medical Biography*, 86; Thacher, *Medical Biographies*, ii, 254; article by J. Collins Warren, in Kelly and Burrage, *American Medical Biographies*, 1193 (1920).

“disputes and contentions,” and was highly unsatisfactory to the trained military eye of Washington. As soon as the Commander-in-Chief reached Cambridge, early in July, he wrote to the Continental Congress in Philadelphia to urge the formation of a regular medical corps for the whole confederated army. On the 27th his wish was gratified, and a “Continental Hospital” was authorized. The chief of the department was styled the director-general. To save money the surgeons were reduced to four and the mates increased to twenty. Nurses, clerks, store-keepers, etc., were provided in due form. On the same day Congress unanimously elected as the first director-general, Dr. Benjamin Church, Jr., of the class of 1754.

If Church’s career had ended at this point Harvard would have had good cause to be proud of it, for it had been a brilliant one indeed. He was a native of Boston, but had studied medicine in London — a rare distinction in those days — and was accounted one of the most dexterous operating surgeons in Massachusetts. Politically he was a “high patriot,” in the very thick of the seditious cabals led by Hancock (his classmate), Adams, Revere, *et al.* He was an extraordinarily popular speaker and writer in the cause of liberty, one of the most prominent members of the Provincial Congress, and at one period its speaker *pro tem.* None of the Revo-

lutionary leaders was more admired and trusted. He had a charming personality, and was a great favorite with Washington. His appointment as head of the new department was received with universal applause.

Yet somehow under his administration the reorganizing of the hospital did not get forward. Everything, as Dr. Warren wrote, remained "in a fluctuating state."¹ Like the true politician of all ages and countries, Church apparently centred his interest in the patronage he was able to dispense; and inasmuch as his selections consisted largely of Harvard men, we may opine that they were the best results of his incumbency!

His ideas of economic efficiency were so vague that he hopelessly overran his allowance of surgeons. He not only retained Foster, Warren, Aspinwall, Hayward, and Rand, but appointed three more. Of these, Samuel Adams, Jr., of the class of 1770, has already been mentioned in the old "Anatomical Society." He owed his assignment largely to his father's influence, but proved to be not without merit of his own. He stood by the Medical Corps manfully for almost all the war, and finally rose to be senior surgeon in 1780. He then came home to Quincy, greatly broken by hardship and ex-

¹ Warren to Hancock, Cambridge, October 9, 1775. *Life of John Warren*, 55.

posure, and with his pay hopelessly in arrears, and died at the early age of thirty-seven. It is curious to note that his father subsequently redeemed his claims for pay at the figure of twelve hundred pounds, and was thereby saved from poverty in old age.¹

Of his fellow members in the "Anatomical Society" we may subjoin that both Dr. Townsend and Dr. Eustis immediately volunteered as regimental surgeons, but were obviously too good for the medical riffraff that surrounded them; within a year or two they were both promoted to the Hospital Department, where they rendered distinguished services until the very end of the conflict. After acting as a surgeon at the time of Shays' Rebellion, Eustis gave up medicine and entered the field of politics, where he won new laurels as Governor of Massachusetts, Member of Congress, Minister to the Netherlands, and Secretary of War.² Townsend practised with reputation in Boston, and at the time of his death, in 1829, was president of the Massachusetts Society of the Cincinnati. His gravestone, reciting his

¹ See Mass. Archives, 206/168; *Warren-Adams Letters, passim*; Adams MSS. in New York Public Library; Wells, *Life of Samuel Adams, passim*; Thacher, *Medical Biographies*, i, 89; Brown, *Medical Department of the U. S. Army*, 59. Jovial letter from him in *Life of John Warren*, 157.

² See Bugbee, *Memorials of the Massachusetts Society of the Cincinnati*, 185; Toner, *Medical Men of the Revolution*, 26; Thacher, *Medical Biographies*, ii, 238; H. E. Brown, *Medical Department of the U. S. Army*, 60, 68; Pilcher, *Surgeon Generals of the U. S. Army*, 106.



DR. DAVID TOWNSEND, A.B. 1770

1753-1829



DR. EBENEZER CROSBY, A.B. 1777

1753-1788

Revolutionary record in detail, is a prominent object in the Granary Burying Ground.¹

The second of Church's surgeons was Dr. Richard Perkins, of the class of 1748; being now forty-five, he was the patriarch of the department. He had represented the town of Bridgewater in the Provincial Congress, where he was a member of numerous and important committees. Besides, he had married the sister of John Hancock, so that, though his professional skill is doubtful, the reasons for his selection are not. Possibly he did not feel altogether at home among a group of earnest and able young internes whose average age was about half his own; at all events, nothing more is heard of him until 1792, when he is mentioned as a doctor at Framingham; thence he "moved to the Mohawk," and in the obscurity of that misty bourne he crossed the Styx in 1813.²

The third surgeon nominated by Church was a Princeton graduate of 1771, Dr. Charles McKnight. He came from the old fighting Irish stock; his great-grandfather lost an arm at the Battle of the Boyne. He rapidly rose in the service, until in 1780 he became chief hospital sur-

¹ Bugbee, *op. cit.*, 480 (whence also the portrait here reproduced); Toner, *op. cit.*, 30; Pension Office Records, Warrant 2236.

² See *Journals Massachusetts Provincial Congress, passim*; Mass. Archives, 206/177; Mitchell, *History of Bridgewater*, 267; Harv. Quinquennial Catalogue Archives.

geon of the Middle Department. At the conclusion of the war he was called to the chair of Anatomy and Surgery in the new Medical School of Columbia. At the time of his death, in 1792, he was said to be without a peer as an operating surgeon. He was further noted as one of the first doctors to abandon the time-honored nag-and-saddle-bags, and make his rounds in a carriage.¹

To return for a moment to Dr. Foster, it should be added, in fairness, that although a failure as an administrator, and consistently ignored by Washington, he was an admirable man in a position where someone else could do his thinking for him. For two years—the worst of the war—he continued as a sort of first assistant to the director-general, officially designated as “the eldest surgeon.” He was then rewarded (after some discreet manœuvring with the politicians at Philadelphia) by the post of deputy director of the Eastern Department, with headquarters at Danbury, Conn.—very nearly a sinecure, except for a large amount of travelling which he took upon himself. But in 1780 the position was abolished, and Foster returned to Boston, with health much impaired, and died a few months later, aged only forty-two.²

¹ Toner, *Medical Men of the Revolution*, 89; Thacher, *Medical Biographies*, i, 383; *Life of John Warren*, 106.

² See his letters in *Atlantic Monthly*, iii, 550; Morgan, *A Vindication of his Character as Director-General of Military Hospitals and Physician in*

Among the mates, Church retained Hunt, Thacher, and Whitwell, gave Gamage a definite berth, and reinforced the rating by the addition of several more Harvard men. Dr. Gad Hitchcock, Jr., of the class of 1768, he promoted from the rank of a surgeon's mate in Bailey's regiment. He was the son of the minister at Pembroke, and for many years the village doctor. He had originally been recommended for army work by General Thomas, himself a remarkably intelligent surgeon, and had been assigned without examination, so that there seems no doubt of his ability. He is remembered as "a courtly and dignified gentleman, expecting and commanding respect." He was, moreover, a man of high character and much learning, and "one who exerted great influence for the intellectual and moral education of the young," particularly as a long-time member of the first school committee of Pembroke. He left the Hospital Department in May, 1776, and was appointed chief surgeon of General Fellows's brigade in the Jerseys, where he served until his enlistment expired in February, 1777. The next year he married Sagie Bailey, the daughter of his old colonel — doubtless the climax of a war romance. He was pensioned in 1818, and died in harness at the age of eighty-six, "worn down," as he

Chief to the American Army, 1776 (Boston, 1777), *passim*; Toner, *Medical Men of the Revolution*, 27 and *loc. cit.*; H. E. Brown, *Medical Department of the U. S. Army*, 42; Adams MSS. in New York Public Library.

said a few years before, "by a long series of troubles and perplexities and infirmities of age."¹

Amos Windship was a good type of the "slow but sure" student. Born in Holliston of humble parentage, by the time he was twenty-six he had succeeded in obtaining his A.B. in the class of 1771. After a year in the hospital he shipped as a naval surgeon on the *Alliance*, in the squadron of the redoubtable John Paul Jones, and remained afloat until the end of the conflict. He then visited England, and was elected a member and corresponding fellow of the London Medical Society. Like various others in the medical branch, his war-time experiences fired him with zeal to improve his professional education; he entered the newly-opened Harvard Medical School, and was a member of the third class graduated there, receiving his M.B. (then conferred before the M.D.) in 1790. To say that he stood second in his class is but paradoxical praise, since the class consisted of only two. Boston practice he seems to have found a grade above him; for, after trying it awhile, he removed to the less crowded field of Wellfleet. But still he was plodding on towards his full degree. At last, in 1811, he succeeded in passing the examination, and

¹ See Gurney, "History of Hanson," in Hurd's *History of Plymouth County*, 349; Marsh, *Genealogy of the Hitchcock Family*, 432 (whence also the portrait here reproduced); Pension Office Records, Revolutionary Claim S. 1831.

secured the coveted prize. Yet the fate that too often awaits the slow but sure swiftly overtook him: apparently exhausted by his effort, he died the same year.¹

Samuel Kinsley Glover of Milton had matriculated in the class of 1778, but it seems doubtful whether he had taken up his college work. At any rate, before the end of what might have been his freshman year, he harkened to a call of duty more imperative than any ever issued by President and Faculty. After serving as one of the minutemen from Braintree he entered the hospital as mate. He seems to have stuck by his profession through thick and thin — especially thin. A pathetically boyish letter from him, dated November 5, 1776, complains of the expenses of army life: "I am in such a condition as to clothes (of which I need not mention the price) that I am ashamed to go into gentlemen's company, because of my rags, and no doubt they are as much of me as I am of myself." Soon after this he shifted to the less exacting berth of surgeon on a privateer, but came ashore again in 1778, to take charge of the smallpox hospital for the "Convention Troops" of Burgoyne, then imprisoned on Prospect Hill, Somerville. After the war he built a large house on Milton Hill and became one of the town worthies — the first postmaster, selectman for 25 years,

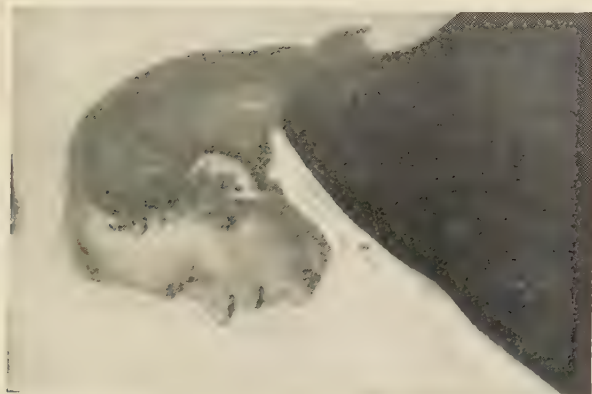
¹ See *Leland Magazine*, 171; Massachusetts Colonial Soc. *Transactions*, xviii, 339 n.; *U. S. Navy Register*; *Mass. Soldiers and Sailors of the Revolution*; Mass. Archives, 206/168; Harv. Quinquennial Catalogue Archives.

and (most important of all) tavern-keeper and proprietor of the local stage-coach to Boston.¹

But of all the Harvard undergraduates who made the sudden plunge into military medicine that year, the most famous in after life was Ebenezer Crosby of Braintree, a sophomore. He evidently possessed many sterling qualities besides great natural medical skill, for after rising to an important position in the "flying [or field] hospital," he was honored in 1779 by the post of surgeon to Washington's bodyguard. In the meantime, stimulated by Dr. Morgan, the founder of the medical school at Philadelphia, he had managed to attend enough lectures there to obtain the degree of M.D. in 1780. With commendable persistency he then returned to Harvard and finished his regular course, taking the A.B. in 1782 "as of" 1777. In the same year he was further distinguished by the A.M. from Harvard and Yale simultaneously. In spite of his army work he had specialized in obstetrics — then a new branch for male practitioners — and when King's College (afterwards Columbia) opened a medical department in 1785 he was called to the chair of Midwifery, thus sharing professorial honors with Dr. Warren and Dr. McKnight.²

¹ Teele, *History of Milton*, 123, 529; *Life of John Warren*, 118; Pension Office Records, Revolutionary Claim S. 1665.

² See Harrington, *Hist. Harv. Med. School*, i, 62; Godfrey, *The Commander-in-Chief's Guard*, 144 (silhouette, p. 70); *Institution of the New York Society of the Cincinnati*, 188 (whence the portrait here reproduced); *Life of John Warren*, 127.



DR. JAMES MCHENRY

1759-1816



JOHN MORGAN, M.D. (EDIN.) 1763

1735-1789

Such were Church's appointments from the ranks of his own college. Yet by far the most notable, in the end, was that of a non-collegian, who cannot in justice be omitted from even the briefest roster of the original hospital staff. James McHenry was a poor Irish boy, born in Ballymena near Belfast, and emigrating to America in 1771, at the age of eighteen. Settling in Baltimore, he took up the study of medicine with the famous Dr. Rush of Philadelphia. At the breaking out of the war he hastened to Cambridge to volunteer his services, and through the recommendation of Washington, who was greatly taken with him, obtained a place as surgeon's mate. Upon the evacuation of Boston he accompanied the army to New York, but soon had the misfortune to be taken prisoner at the capture of Fort Washington by the British. For almost two years his career was suspended. At last he was exchanged and assigned to be senior surgeon of the "flying hospital" at Valley Forge. Hardly had he taken up his duties when he received the flattering invitation to become one of Washington's private secretaries. Giving up, as it proved, his medical work forever, he spent two years as a valued member of the family of the Commander-in-Chief. He was then honored by a similar position with Lafayette, but resigned in order to accept his election to the Maryland Senate in 1781. As a statesman his

record is a part of American history. He passed from membership in the Confederation Congress of 1783 to the Constitutional Convention of 1787, and finally became Secretary of War, 1796-1801. Fort McHenry, imperishably connected with the "Star-Spangled Banner," was named for him. A more typically American career can scarcely be imagined, although Dr. Church could have little foreseen the results of his appointment.¹

Unluckily, Church was too much of a politician for his own safety. He was one of that large class in the community who looked for an early reconciliation with the mother country, and he was anxious to stand well with both sides. But his methods were crude and the results disastrous. He had been in office scarcely a couple of months, when — betrayed (as usual) by a woman — one of his cipher letters to the British fell into the hands of Washington. The game was up. His brilliant reputation burst like an iridescent soap-bubble. The cipher was so childish that it was immediately decoded; it proved to be singularly harmless — mostly an impassioned plea for pacifying the Colonies; but the very fact that their idolized leader had written and sent it (and he

¹ See his *Life and Correspondence*, edited by B. C. Steiner (whence also the portrait, by courtesy of Burrows Bros., owners of the copyright); J. E. Pilcher, *The Surgeon Generals of the U. S. Army*, 103; Kelly and Burrage, *American Medical Biographies* (1920), 743.

never attempted to deny its authorship) was enough for the outraged patriots. Church was solemnly tried before the bar of the House, found guilty, expelled from his seat, and cast into durance vile. There he languished until January of 1778, when he was allowed to go aboard a vessel bound for Martinique. She was never heard from again.¹

In electing his successor Congress was careful to make no second mistake, and on October 17 chose Dr. John Morgan, a member of the earliest class ever graduated from the "College of Philadelphia" (now the University of Pennsylvania), in 1757.² He was precisely the man for the place — forty years of age, highly educated, an M.D. of Edinburgh in 1763, well-to-do, a born organizer, with military and hospital experience in Europe as well as America, a strict disciplinarian, fearless and conscientious to a really embarrassing degree — and he rapidly brought the Medical Department to a high state

¹ As the first "traitor" to the American cause, Church occupies a very purple patch in sundry standard histories and memoirs which it would be tedious to enumerate. His principal doings as Medical Director he sets forth, in characteristically flamboyant style, in a long letter to Samuel Adams, dated "Continental Hospital, Cambridge, Aug. 23, 1775," and to be found in the Adams MSS. at the New York Public Library.

² See biographical sketch prefixed to his *Journal, Rome to London, 1764*; *Am. Journal of Pharmacy* (1904); his own *Vindication, etc.*; *Boston Gazette and Country Journal*, January 16, 1776; Norris, *Early History of Medicine in Philadelphia*, 46; Thacher, *Medical Biographies*, i, 405; Force, *American Archives*, 4th Series, iv and v, *passim*; Mumford, *Narrative of Medicine in America*, 126; *North American Medical and Surgical Journal*, iv, 362.

of efficiency. When it left Cambridge at the close of the Siege, in April, 1776, it was probably better organized, better manned, and better equipped than at any other stage of the war. And at this highly satisfactory point in the development of the Hospital Corps, having followed its origin and growth for the first year of the Revolution (though other Harvard men subsequently joined its ranks), our investigation may well terminate.

One word more respecting Morgan, though, is of especial interest to Harvard men. Ten years before this date he had established at Philadelphia, under the auspices of his college, the first medical school in the country. Besides his powers as a constructive and administrative pioneer, he had all the enthusiasm of the natural teacher, and all the gifts of communicating that enthusiasm to others. There seems no doubt that, under the inspiration gained from him, and with the confidence derived from a study of his methods, young Dr. Warren, who was closely associated with him for fifteen months, conceived the idea of founding a similar school at Cambridge. This idea, as is well known, he brought to fruition in 1783 by the opening of the Harvard Medical School, the germ of which may therefore be traced to the memorable year of '75.

To sum up, then: the sudden development of military medicine that was forced to the front at the outbreak of

the Revolution brought together, within six months, a very notable group of Harvard doctors. An overwhelming majority — a full score — of the original little band of hospital workers were present or past members of the College. True, they were not M.D.'s, for in those days a medical degree was almost unknown in this country; the budding medico then learned his business by private study and actual experience under some well-known practitioner. With the exception of Morgan, the sole member of the early hospital force who possessed such an adornment was one of the mates, Humphrey Fullerton of Salisbury, Pa., who had taken an M.B. at the Philadelphia school in 1768. But that so many of the surgical staff were college men, when a college education was a rare and hard-won distinction, shows that they were the pick of the profession. It was by no accident that in after life three of them became professors of medicine, and nine received honorary degrees, while almost all attained outstanding positions in medicine, letters, statesmanship, or local affairs. In short, that Harvard contributed so generously of her best to establish this all-important division of the American Army is something of which her sons may well be proud.

The good fortune of the Army Medical Department, in beginning its long and brilliant career with such a high grade of hospital personnel, is the more striking when we

examine the character of the ordinary regimental surgeons. With a few honorable exceptions they were the scum of the trade, inexpert, refractory, dishonest, vindictive, characterized by Washington as "very great rascals,"¹ and described by Gordon, the contemporary historian, as "many of them having no professional abilities, having never seen an operation of surgery, and being unlettered and ignorant to a degree scarcely to be imagined."² Although later put under the control of the director-general, in the first phase of the war they were utterly irresponsible, and took advantage of their freedom to disgrace their position by every species of knavery. Many supported themselves handsomely by selling the sick-certificates necessary for discharges or furloughs; though, owing to the competition in this despicable business, the price at one time fell as low as a shilling apiece. Forming a sort of band of medical outlaws, attracted by a common interest, they stubbornly maintained their miserable parodies of regimental hospitals, and under pretence of supplying these, drew from the commissary enormous quantities of wines and delicacies which never reached their patients; while, actuated by a common animosity, they delighted in obstructing and embarrassing the General Hospital

¹ Brown, *Medical Department of the U. S. Army*, 30.

² *Hist. Amer. Revolution*, ii, 335 (1788).

staff, who were their superiors in rank and pay, as well as in everything else.

The youthfulness of the Harvard contingent is another significant circumstance. From portraits and "pen-pictures," almost always made in their declining years (aided perhaps by natural sentiments of veneration), we are apt to envisage our patriotic ancestors as composites of Joshua and Methuselah. As a matter of fact, the Revolution was a young man's war — like most other wars. Indeed, the line of political demarcation was largely that of age: the new generation espoused the new cause; their elders clung to the established order, and either actively or passively opposed the revolt. The Hospital Corps was no exception. Foster himself was only 35, Rand was 33, Aspinwall 32, Windship and Gamage 30, Hayward, Hitchcock, and Hunt 26, McKnight and Mansfield 25, Adams 24, Warren, Jones, Glover, and McHenry 22, Harrington, Thacher, Crosby, and Whitwell 21, Hurd and Stone 19, and Bartlett only 16. Here was the young and progressive element of the profession, the men who, in spite of their youth, had already made good, and who in after years were to make better still. Here, too, was a considerable group of undergraduates, who, unexpectedly requisitioned as assistants and mates, developed an interest in medicine that gave the whole College a strong trend in that direction,

and made the subsequent establishment of the Medical School a comparatively simple process, a natural outgrowth.

Here, in fine, was a representative cross-section of the material for the general renaissance of the medical profession in America that was one of the by-products of the Revolution. The assembling and organizing of the best of that calling, hitherto scattered and out of touch, was a move as beneficial as it was novel; from their mutual attrition and stimulation, from the new fields opened to them, from the new opportunities for experiment and investigation, and from the epochal introduction of the system of examining candidates before a government board, arose a new day in the annals of the ancient art and mystery of the leech. The premature plans of Dasturge were more than realized. Modern medicine took form, suitable educational facilities sprang up, medical associations came into being, the scales dropped from eyes long blinded by prejudice and convention, and the profession assumed a dignity and importance that it had never known before, and that is still increasing with the years. And that Harvard College played so large and so early a part in this awakening, as a result of so gallantly manning the original Army Medical Corps, is not the least of its claims to distinction.

OLD TIMES AT THE LAW SCHOOL

VI

OLD TIMES AT THE LAW SCHOOL

IN the reading-room of Austin Hall hangs a striking old painting — a group of three-quarter length figures suggesting the work of Copley, but in reality from the brush of Feke, a young Newport Quaker.¹ A red-coated gentleman stands stiffly at a table, surrounded by admiring female relatives. He is Isaac Royall, Brigadier-General of the Province of Massachusetts Bay, representative to the Great and General Court, member of the Council, Church of England Tory, wealthy land- and slave-owner, and famous *bon vivant*. His magnificent mansion at Medford is still standing, and of its owner the comfortable tradition is preserved that “no gentleman of his time gave better dinners or drank costlier wines.”

Despite his red coat and his martial title (in the militia) General Royall was one of the most timorous of mortals. The moment that the Battle of Lexington — whose smoke he could almost smell from his own door-

¹ Robert Feke (1705-50) is an American primitive whose work is extremely rare. He was a sailor in early life, and learned to paint while a prisoner in Spain. This is the earliest of his known portraits which can be definitely dated (1741).

step — gave bloody proof that the Loyalists were really in for trouble, he abandoned his splendid seat and fled like a frightened rabbit. Nothing short of London was safe enough for him. But even under the immediate protection of his sovereign he could not escape the King of Terrors; and in six short years, ere the Revolution was fairly over, good dinners and costly wines were for him no more.

While his breath remained to him, Isaac Royall always strenuously asserted that he was no Tory refugee who had shaken off the dust of a rebellious province, but a good citizen of "The Bay," temporarily detained in England on business! That attitude he maintained even in his will, wherein he left a number of charitable and educational bequests for the benefit of his old friends and neighbors. Prominent among them was a gift of two thousand acres of his lands in Granby and Royalston, Massachusetts, to Harvard College, "to be appropriated towards the endowing a Professor of Laws in said Colledge, or a Professor of Physick and Anatomy, which ever the said Overseers and Corporation shall judge to be best for the benefit of said Colledge."¹

More than thirty years elapsed before those country

¹ Suffolk Probate Records, Book 85, folio 265. It is a rather odd consideration that Royall, himself not a collegè man and far from an intellectual, foreshadowed in this clause the formation of both of Harvard's most famous professional schools.

acres could be turned into available cash. By 1815 the College had succeeded in realizing from them about \$7500. On the strength of this fund the Corporation, selecting the first alternative of the gift (the "professor of Physick and Anatomy" having been provided for in the recently formed Medical School), established the Royall Professorship of Law, and appointed as the first incumbent Isaac Parker, Chief Justice of Massachusetts.

Parker, whose place in the history of the Law School is of exceptional interest, was a graduate of the class of 1786. If ever a man appreciated the difficulties of a legal education it was he, for by his own exertions he had climbed from the bottom to the top of the juridical ladder. Born in Boston of humble parentage, he had in his childhood endured all the privations of the Revolutionary era. At the age of fourteen he entered Harvard, so poor that, but for the kindness of friends, he would have left in the middle of his course and apprenticed himself to an apothecary. Picking up somehow the elements of law, he opened a modest office in the remote hamlet of Castine. Later he removed to Portland, and by indefatigable industry and grit forced his way into the front ranks of the profession. Twenty years after graduating he gave up a large and lucrative practice to accept a place on the bench of the Supreme Judicial

Court, and soon afterwards, at the death of Chief Justice Sewall, was appointed to succeed him.

He made an admirable judge. His mental processes were clear, comprehensive, quick, and sagacious. To his natural love of justice and fair play the hard school of experience had added a strong measure of plain practical sense, and an utter aversion to legal quibbling of every kind.

In person, Parker was heavily built, full-faced, blue-eyed, very bald and florid; he finally died of apoplexy. His manners reflected his origin, simple and unpolished, and he was a perfect slave to snuff. Two invaluable aids to his career were his iron constitution and his buoyant gaiety of disposition. In twenty-four years of circuit-riding throughout the state (which then included Maine) he never missed an official appointment through illness. He was most approachable, kind-hearted, and genial, and the best of companions. Knowing that he was always ready for a joke, two waggish lawyers, calling upon him for the first time, introduced themselves solemnly as Mr. John Doe and Mr. Richard Roe. "Gentlemen," cried the judge, "I am delighted to meet you! I have heard and read of you all my life, but had begun to despair of a personal acquaintance."¹

In filling the Royall Professorship, Harvard had made

¹ See *Centennial History of the Harvard Law School*, 240.



ISAAC PARKER, A.B. 1786, LL.D. 1814

The Father of the Law School

a most distinguished choice among her graduates. Yet the appointment proved in some ways a disappointment. Owing to his extended duties on circuit, Parker was able to lecture only during the summer term of college. In the words of Dr. A. P. Peabody of the class of 1826, "The income of the Royall Professorship was barely sufficient to pay for a course of twelve or more lectures to each successive senior college class. Judge Parker's course comprised such facts and features of the common and statute law as a well-educated man ought to know, together with an analysis and exposition of the Constitution of the United States. His lectures were clear, strong, and impressive; were listened to with great satisfaction, and were full of materials of practical interest and value. He bore a reputation worthy of his place in the line of Massachusetts chief justices; and the students, I think, fully appreciated the privilege of having for one of their teachers a man who had no recognized superior at the bar or on the bench."¹

To much the same effect Sidney Willard testifies: "I heard a great part of Judge Parker's course of lectures in what was then the Philosophy Chamber in Harvard Hall. They were written in a perspicuous style, were listened to with much satisfaction, and contained much useful information, adapted to all literary and in-

¹ *Harvard Reminiscences*, 8.

telligent hearers.”¹ Chief Justice Shaw, his successor, says that in addressing a jury (and doubtless also a college audience) “his reasoning was clear, forcible, and exact; his language chaste, pointed, and select; his fluency uncommon, and his action animated.”²

But he does not seem to have put his heart into his work. To his thorough-going mind the range of subjects he was expected to cover in a dozen lectures was simply impossible: he used to caution his listeners that he was not giving them a complete legal education, and add that most of them would not know what to do with one if they had it. It was pretty plainly irksome for him to spend his time in giving them merely a “gentleman’s knowledge” of the subject. On the whole, his lectures did not leave behind them the impression to be expected from such an eminent authority. They were never published, and are now forgotten. All the same, they mark a unique point in the college history — the only period when jurisprudence formed a part of the undergraduate curriculum.

Isaac Royall is generally spoken of as the founder of the Harvard Law School. Considering the facts, that statement will not quite hold water. The lectures which he endowed were intended to be given to the under-

¹ *Memories of Youth and Manhood*, ii, 307.

² *Pickering’s Reports*, 9, 576.

graduates of the college without the erection of any new machinery whatever. The credit for originating such a school rightly belongs to that other Isaac, Parker hight. His appointment seems to have set him thinking on the subject. Realizing the superficiality of his own lectures, and recalling his own early struggles for a legal education, he was soon seized with the inspiration of a separate graduate department in the University wherein lawyers could be taught their business as methodically and thoroughly as the Medical School was already teaching doctors.

At the beginning of his first course of lectures (April, 1816) he suggested that "a school for the instruction of resident graduates in jurisprudence may be usefully ingrafted on this professorship."¹ In the course of a year he grew so enamoured of the idea that he drew up a written plan, and formally "represented" to the Corporation "that in his opinion and in that of many friends of the University and of the improvement of our youth, the establishment of a School, for the instruction of Students at Law at Cambridge, under the Patronage of the University, will tend much to the better education of young men destined to that profession, and will increase the reputation and usefulness of this seminary."

In these novel views the Corporation, no doubt after

¹ Inaugural Address, *North American Review*, iii, 11.

a good deal of discussion, "concurred," and on May 14, 1817, voted "that some Counsellor, learned in the Law, be elected to be denominated UNIVERSITY PROFESSOR OF LAW; who shall reside in Cambridge, and open and keep a school for the Instruction of Graduates of this or any other University, and of such others, as, according to the rules of admission of Attorneys, may be admitted after five years study in the office of some Counsellor." At the same meeting they instituted the degree of LL.B. "as an excitement to diligence and good conduct," and elected Asahel Stearns of Charlestown first University Professor.

Now the milk of the cocoanut lay in this — that the learned Chief Justice, in spite of the old saw, had really brought to pass something new under the sun. Though a good lawyer, he had gone beyond the precedents. College lectures on law, of the sort he was giving, were common enough both in England and in this country; at William and Mary the Commonwealth of Virginia had founded such a chair as far back as 1779. The information thus imparted, as already described, was mainly of a general and popular nature. But when a young man wished really to study law as his profession, college was of no use to him. He had nowhere to go except the office of some practising attorney, where he became, virtually or actually, a legal apprentice, reading textbooks at hap-

hazard when not engaged in the drudgery of a clerk. Of course the training he got depended entirely upon his mentor. Some lawyers were so famous as teachers that their offices were always crowded with students. Judge Reeve, at Litchfield, Connecticut, is said in the course of thirty-eight years to have taught (with the aid of several assistants) over a thousand pupils, arranged in regular classes — a kind of “practical” school of law.¹

But neither in England nor America had there ever been a formal attempt to teach the subject theoretically, without calling upon the learner to copy documents, look up witnesses, or “devil” in the courts. As Parker himself put it, law students under his plan would have “one or two years devoted to *study only*, under a capable instructor, before they shall enter the office of a counsellor to obtain a knowledge of practice.”² Still less had there ever been a distinct faculty of law, “under the patronage of a university,” intended primarily for graduates, and raising the profession, educationally speaking, to the same dignity as medicine and divinity. In establishing such a department, therefore, Harvard had

¹ Mr. Rawle calls attention to the fact that up to the end of the Revolution many of the best lawyers in this country were educated in London. It is estimated that between 1760 and 1785 about 115 Americans, mostly from the southern colonies, were admitted to the Inns of Court, and perhaps a third as many more before that period. *Harv. Grad. Mag.*, xxvi, 177.

² Inaugural address, *ubi supra*.

not only placed the study of law on a purely intellectual plane, but had created the first university school of law (and incidentally the oldest law school now existing) in any common-law country.

The boldness of the step was increased by its utter lack of financial backing. There were no funds with which to pay the University Professor. He was to rely for his support on the fees of his students, like a kind of legal Elijah fed by ravens, the size of his meal depending upon the number of ravens he could attract. All in all, Harvard College had never undertaken a more daring piece of educational pioneering.

At first, naturally, things were pretty crude. It is an almost comic example of the lack of "business efficiency" among the old-time administrators, that they did not perceive the importance of immediately concentrating upon their law school the efforts of both their law professors. They talked a little about it, to be sure, but without any practical effect. Stearns, in accordance with their original vote, took on his shoulders, unaided, the whole novel and laborious task of organizing this "new department at the University," and of conducting it when organized: Parker continued calmly lecturing "in the Philosophy Chamber," having scarcely the slightest connection with the new venture he had conceived; like those lower forms of animal life that aban-

don their offspring the moment they are hatched.¹ Or, to employ a more appropriate trope, he had been encouraged to plant the seed of a mighty oak, but was not called upon to cultivate the ground or to tend the sapling.

Asahel Stearns, Esq., therefore deserves our respectful attention as dean, registrar, secretary, professor, librarian, treasurer, publicity agent, efficiency expert, and entire faculty of the Harvard Law School during its infant stage. He was a graduate of the class of 1797, was a former Member of Congress, and was (and continued to be) District Attorney of Middlesex. He enjoyed a high professional reputation. With Chief Justice Shaw he revised the Massachusetts Statutes, and his work on Real Actions was long the standard text for that subject. He was warmly interested in charities. Socially he was a great favorite, was noted for his courteous manners, and exercised a generous hospitality. Though of grave and serious aspect, he was humorous and rather easy-going. He was in short well described by that favorite formula of the hard-pressed biographer — “equally respected and beloved.”

All the same, he was not the man for the difficult place in which he found himself. He had none of Par-

¹ It seems more than likely that Parker was disappointed in the results of his scheme as worked out by Stearns, and lost all interest in it.

ker's imagination and initiative, or of that driving enthusiasm of Dr. Warren's, which, in spite of formidable opposition, had carried through the Medical School to success. He could not envisage either the present needs or the future possibilities of the new enterprise. He conceived of his department only as a kind of glorified tutoring-mill of the regular old law-office type, with the addition of some lectures and quizzes as at the Litchfield school, and a "moot court" which was probably Parker's idea. He seems to have given about a third of his time to his pupils, and the rest to his own practice, though he complained of being overworked. His teaching was colorless (his portrait shows no expression whatever), and not of a kind to "boom" the reputation of the embryonic project in the least.

Nor were the physical beginnings of the school encouraging. For its location Stearns secured some rooms in "College House Number Two," originally a private dwelling, which stood, very conveniently for him, next the courthouse — the latter being on the site of the present Coöperative Society building in Harvard Square. Into the front apartment he moved his own law office; in another he collected a "library" of such textbooks as he could buy for about seven hundred dollars, which was all the money allowed him. Here were the lecture-hall, reading-room, book-stack, and con-



COLLEGE HOUSE NO. 2 AND THE COURT HOUSE IN 1793

versation-room, all rolled into one. A log schoolhouse at a country crossroads could hardly have offered fewer attractions.¹

The students who had courage enough to try this unprecedented method of becoming lawyers were of good quality, nearly all college graduates, some coming from as far away as Virginia; but there were never more than a dozen in residence at any one time. Their chief work was private reading of the few books available, under the direction of the professor, with perhaps some attendance upon him in his official duties at the courthouse next door. In such a programme there was little to interest or stimulate them. Having no definite course to pursue, they entered and left irregularly, as the spirit moved. It was not until 1820 that even the accommodating Stearns felt justified in recommending any of them for a degree: in that year six received the LL.B., including the eminent Joseph Willard. The high-water mark was reached five years later, when ten degrees were granted. A disastrous decline followed: by 1829 there were no degrees, the attendance had actually run down to one pupil, and the Harvard Law School seemed about to expire of mere inanition.

¹ At this date the stately University Hall, embodying all the latest ideas in class-rooms, etc., had just been erected for the undergraduates, and the Medical School had just moved into a fine building of its own in Boston; so that comparisons were particularly odious.

Nevertheless, this solitary student (J. P. Tarbell of Boston), upon whom depended such an undreamed-of future, furnished the "horrible example" that caused some furious thinking on the part of the Corporation. They had been watching the progress of their experiment with anxious care and an increased understanding of its needs. Two years before this date they had realized that the Royall Professor must be transferred from the College and take an active part in building up the school. As Chief Justice Parker was unable to do this, his resignation was accepted. When Stearns was reduced to a single disciple, he too left the field. With his departure, the mistake of a fee-supported chair of law was corrected, and the University Professorship was discontinued. Simultaneously, as a powerful aid to these reforms, came the election of Josiah Quincy, the first great business president of the College; and the teaching of law at Harvard entered upon its third phase.

The new era was ushered in by the enthusiasm and munificence of Nathan Dane, of Beverly, a member of the class of 1778 and a distinguished legal writer. His studies had led him to the conviction that the law could be taught not only as a theory but as a science — almost as a philosophy. He saw the possibilities of Parker's idea if put into the right hands; and he gave ten thousand dollars to found a new professorship of law, pro-

vided that the first incumbent was Joseph Story of the United States Supreme Court. Judge Story had already declined the Royall Professorship, and was far from willing to accept the new one; but as its founder firmly insisted on withdrawing the gift unless the chair was filled in accordance with his wishes, Story finally consented, and became Dane Professor. At the same time the Royall Professorship was filled by John H. Ashmun, of the class of 1818. The latter was to supplant Stearns as general manager of the school, and to keep things going as "drill master" while Story was away at Washington. The new incumbents were inaugurated in August, 1829, and the real history of the school began.

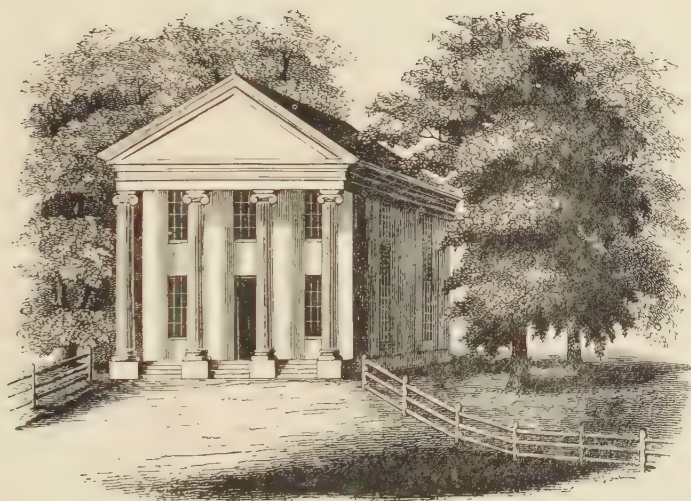
Story's fame was already world-wide, and the public interest in the Supreme Court and its members was at a pitch never equalled before or since. Almost on the instant the school acquired a national reputation. The number of students in the very first year of the new régime was no less than thirty, and rose by leaps and bounds to one hundred and fifty. The dismal little library was rapidly augmented; and in spite of liberal expenditures for books there was a handsome surplus of funds. In less than three years the need of larger quarters became imperative. Again Mr. Dane came forward with a generous contribution, and a temporary loan of more. A separate building in the College Yard was

decided upon and named for the school's greatest benefactor. On October 24, 1832, Charles Sumner, who had just taken his A.B., wrote enthusiastically:

Dane Law College (situated just north of Rev. Mr. Newell's church), a beautiful Grecian temple, with four Ionic pillars in front, — the most architectural and the best-built edifice belonging to the college, — was dedicated to the law. Quincy delivered a most proper address of an hour, full of his strong sense and strong language. Webster, J. Q. Adams, Dr. Bowditch, Edward Everett, Jeremiah Mason, Judge Story, Ticknor, leaders in the eloquence, statesmanship, mathematics, scholarship, and law of our good land, were all present, — a glorious company.¹

The high priests ministering in that temple were indeed few, but of extraordinary ability. Ashmun is at once the most brilliant and the most pathetic figure in the early annals of the school — a sort of legal Chatterton. His precocity was astonishing. According to his epitaph (composed probably by Sumner) "he was fit to teach at an age when common men are beginning to learn." Though only twenty-eight when he began his work at Cambridge, he was already a famous preceptor. For several years he had been the chief instructor at a very successful "office" law school at Northampton, which was nominally conducted by Judge Howe and Senator Mills, but which collapsed as soon as Ashmun left. In spite of his youth, says Story, he had "gathered about him all the honors which are usually the harvest of

¹ Pierce, *Memoir of Charles Sumner*, i, 116. A tablet now marks the site of the church, which was removed a few years later.



DANE HALL, ORIGINAL STATE

the ripest life." At the bar, to which he had been admitted at an early age, "he stood in the very first rank of his profession, without any acknowledged superior."

He filled the Royall Professorship with distinguished success. He was one of those rare and precious beings — a born teacher. He obtained a wonderful hold over the affections of his students. His lectures were notable for their clear grasp of the subject. "He possessed in a remarkable degree the faculty of analyzing a complicated case into its elements, and of throwing out at once all its accidental and unimportant ingredients. . . . His remarks were peculiarly sententious, terse and pithy, and sometimes quite epigrammatic." He taught largely by recitations in the Socratic method, and took special pains to put his classes through frequent and searching oral examinations. His advanced position as an educator, as well as the quality of his work, may be inferred from the fact that in the curriculum of those primitive days he included a course of lectures on Medical Jurisprudence, of such value that they were published after his death. To quote further from Judge Story:

Although his learning was exceedingly various, as well as deep, he never assumed the air of authority. On the contrary, whenever a question occurred, which he was not ready to answer, he had no reserves, and no concealments. With the modesty, as well as the tranquil confidence, of a great mind, he would candidly say, "I am not

lawyer enough to answer that." In truth, his very doubts, like the doubts of Lord Eldon, and the queries of Plowden, let you at once into the vast reach of his inquiries and attainments. There is not, and there cannot be, a higher tribute to his memory than this, that, while his scrutiny was severely close, he was most cordially beloved by all his pupils. He lived with them upon terms of the most familiar intimacy; and he has sometimes with a delightful modesty and elegance said to me, "I am but the eldest Boy upon the form." Owing to ill health, he could not be said to have attained either grace of person or ease of action. His voice was feeble; his utterance, though clear, was labored; and his manner, though appropriate, was not inviting. . . . He felt another disadvantage from the infirmity of a slight deafness, with which he had been long afflicted. His professional success seems truly marvelous. It is as proud an example of genius subduing to its own purposes every obstacle opposed to its career, and working out its own lofty destiny, as could well be presented to the notice of any ingenuous youth.¹

Professor Ashmun's mental powers had always been far in advance of his physical. His health seems never to have been good; as a youth he shut himself up among his books; and he had scarcely reached man's estate before he was seized by that scourge of New England, consumption. With care and change of climate he might have prolonged his life, or even recovered; but he deliberately burned himself out in his beloved teaching. Owing to Story's absences, he really did much more than half the work of the school; and during the year that the judge was writing his *Bailments*, he took virtually entire charge. As Sumner records in his epitaph, "Through the slow progress of the disease which consumed his life,

¹ Funeral Discourse in the Harvard Chapel, *American Jurist*, x, 40.

he kept unimpaired his kindness of temper and his superiority of intellect; he did more, sick, than others in health; and his few years bore the fruit of long life."

At the untimely age of thirty-two, as he was completing his fourth year of service to his Alma Mater, came the inevitable result. His long-advancing illness took a suddenly fatal turn, and prematurely closed a career that might have been a landmark in the teaching of law. He expired peacefully in the night, the only person at his bedside being his devoted pupil, young Charles Sumner. His family, highly respected people of Blandford, Massachusetts, seem to have taken little interest in his fate. He lies buried in the almost forgotten "college lot" at Mount Auburn, beneath a monument procured through the exertions of some of his sorrowing students. No portrait of him is known.

The Royall Professorship, thus sadly vacated, was at once filled by the appointment of Simon Greenleaf, the eminent Reporter of the Supreme Court of Maine; and the school's reputation rose yet higher.

Then were the days of the giants. For twelve years those twin kings of American jurisprudence, Story and Greenleaf, held absolute dominion, and moulded a whole generation of lawyers. More than eleven hundred students sat under their instruction. Better textbooks were seriously needed, and both professors addressed

themselves to the task of producing them. Greenleaf published his famous "Evidence," and a number of other works, but was quite eclipsed by the labors of his energetic colleague. For Mr. Dane's scheme of systematic teaching had included the stipulation that the occupant of his professorship should deliver and publish a series of lectures on the following five subjects: Federal Law, Federal Equity, Commercial and Maritime Law, the Law of Nations, and the Law of Nature. Story at once began on this list, but found it ramified so fast that at the time of his death he had become the author of no less than thirteen volumes of treatises, all of international authority. He seems to have been a writer by nature, one of those men to whom the sight of a quire of foolscap and the feel of a pen between the fingers are all that is necessary to crystallize thought into a form to be seen of all men.

When not writing, the judge was talking. He was one of the most tremendous talkers that long-suffering Cambridge has ever heard. It is still remembered how, on his trips into Boston by the daily omnibus (fare twenty-five cents), he entertained friends and strangers alike by his unquenchable stream of pleasantries, anecdotes, and sage observations. His lectures at the school carried away his listeners with the pure enthusiasm of the speaker. His extraordinary memory, copious learn-

ing, and long practical experience, combined with his ready invention of illustration and wonderful fluency of expression, often caused him to wander widely from the starting topic, and sweep with amazing facility over far-distant regions of theory or practice, or even personal reminiscence. "It was easy," says a student of that day, "to draw the old judge from the point under consideration to a lengthy account of Chief Justice Marshall and his fellows . . . and this was apt to be done every day."¹ Professor Ashmun apparently tried to restrain and even oppose this tendency of the judge; and there is a tale to the effect that Story once remarked somewhat testily, "Now, Ashmun, don't you contradict what I say. I believe you would try to correct me if I told you that two and two make four." "Of course I should," retorted Ashmun instantly; "they make twenty-two."

This sort of thing may not have taught the students much substantive law, but it gave them something better. The real value of Story's connection with the school was in bringing young lawyers at their formative stage into intimate contact with a great legal personality. It has been well said that Story's position in the history of American law is unique. Such an opportunity of judging, writing, and teaching at a critical period in the

¹ G. W. Huston, in *Harv. Law Review*, xi, 122.

history of a legal system has fallen to the lot of very few. It is not too much to compare him in this respect with the great Roman jurists of the third century and with the great doctors of the revival of Roman law, with Pothier and with Savigny. In the Common Law perhaps no one but Coke has had an equal opportunity.¹

Probably few members of the school realized at the time the greatness of their privilege in listening to such a man. The obvious and fascinating thing about him was his prodigious vitality. Henry Ware, LL.B. 1847, sketches with appropriate vigor the judge's daily routine in Cambridge:

The most punctual of men, as the bell rang he was to be seen crossing the street to the law school (passing the students with a beaming countenance and a most cordial and friendly greeting) with rapid steps to the lecture-room. You heard the door slam behind him, and in a moment he was in his place. Almost before seating himself, he opened the book, put a question to some student near him, scarcely giving time for an answer, impatient as it seemed to pour out his own opinion on the matter in hand, and boiling over, as it were, with anxiety to deliver his views; and as if availing himself of a long-deferred opportunity, he proceeded to discourse for an hour with a fluency and eloquence that were simply marvelous. All his resources were perfectly at his command. Facts, arguments, theories, authorities, history, illustrations, everything seemed to be at his tongue's command — not superficially or crudely, but his words came from the studied results of long experience, vast learning, and an intense love of his profession. The bell announcing the expiration of the hour would stop him in the full tide of his eloquence,

¹ *Centennial Hist. Harv. Law School*, 260.

and if no lecture were immediately to follow, a spontaneous call of "Go on!" would often go up from the benches, where no seat was ever vacant.¹

Story's interest in the school was wonderful. It was his pet and pride. He was continually devising new and delightful plans for its improvement. He doggedly refused any addition to his original salary of \$1000 a year, insisting instead that whatever more was offered him should be expended in increasing the law library, improving Dane Hall, or accumulating the fund which now forms the foundation for the Story Professorship. It is estimated that his gifts to the school, in this way alone, amounted to \$32,000.² His lectures were periodically interrupted by attendance on the court at Washington, but he always returned at the earliest moment, and with the greatest enthusiasm. After each absence he would enter the library and hold a regular reception, shaking hands with each student, and making affectionate inquiries about his success. His personal interest in every pupil was as genuine as it was unflagging, and created the most intimate and confidential relationships. He lived in the old brick house on the corner of Brattle and

¹ "The Harvard Law School," *Harv. Register*, iii, 283.

² None but the most vinegar-visaged chronicler could omit from the list of the Judge's benefactions his gift to celebrate the occupation of the new building — 15 bottles of old Madeira (with careful directions for opening) sent "to Mr. C. P. Sumner, at Dane College, for the gentlemen of the Law School." *Harv. Alumni Bulletin*, xvii, 542.

Hilliard Streets, now (with much propriety) occupied by law students. Tradition asserts that when he wished to be alone he would take his massive beaver hat from its peg in the hall, and retire with it into his study; if a caller inquired for him, a glance at the empty peg showed he must have gone out!

Two portraits of Story hang in the school, both noticeable for the moon-like red face and its aspect of extraordinary benevolence, beaming upon the beholder through gold-bowed spectacles. One is irresistibly reminded of Mr. Pickwick. G. W. Huston, LL.B. 1843, says:

Story was a low, heavy-set man — very fair skin, blue eyes, with but little hair on his head, being very bald save a little tuft on the top of his forehead, which he often combed during lectures with a fine comb carried in his vest pocket. He was easy of access and beloved by the young men. . . . He kept up constant letter-writing to and with many of the great men of Europe. Professor Greenleaf was taller, black hair in profusion, and keen black eyes. I have heard him say, I believe, he was forty years old before he began studying law in Maine where he was raised. He was not popular with the boys, being sometimes sarcastic. His mind was acute and his reasoning hair-splitting.¹

Greenleaf, indeed, was in many respects the exact opposite of his colleague. In the words of Professor Parsons:

Judge Story and Professor Greenleaf worked together harmoniously and successfully, and perhaps the more harmoniously

¹ *Harv. Law Review*, xi, 122.

because they were so entirely different. With much in common, for both were able, learned, and of the most devoted industry, there were other traits that belonged to one or the other of them exclusively. Greenleaf was singularly calm, finding strength in his very stillness; always cautious, and therefore always exact. Story was as vivid and impulsive as man could be. His words flowed like a flood; but it was because his emotions and his thoughts demanded a flood as their exponent. . . . Story's manner was most peculiar; everybody listened when he spoke, for he carried one away with the irresistible attraction of his own swift motion. And Greenleaf, somewhat slow and measured in his enunciation, by the charm of his silver voice, the singular felicity of his expressions, and the smooth flow of his untroubled stream of thought, caught and held the attention of every listener as few men can.¹

Charles Sumner, who served as assistant instructor for a time before his trip to England, makes the following interesting comparison in a letter from London written to Judge Story in 1838:

You know Lord Denman intellectually better than I; but you do not know his person, his voice, his manner, his tone — all every inch the judge. He sits the admired impersonation of the law. He is tall and well-made, with a justice-like countenance: his voice and the gravity of his manner, and the generous feeling with which he castigates everything departing from the strictest line of right conduct, remind me of Greenleaf more than of any other man I have ever known. [Again, in 1844]: Greenleaf takes the deepest interest in the unfortunate church controversy, uniting to his great judicial attainments the learning of a divine.²

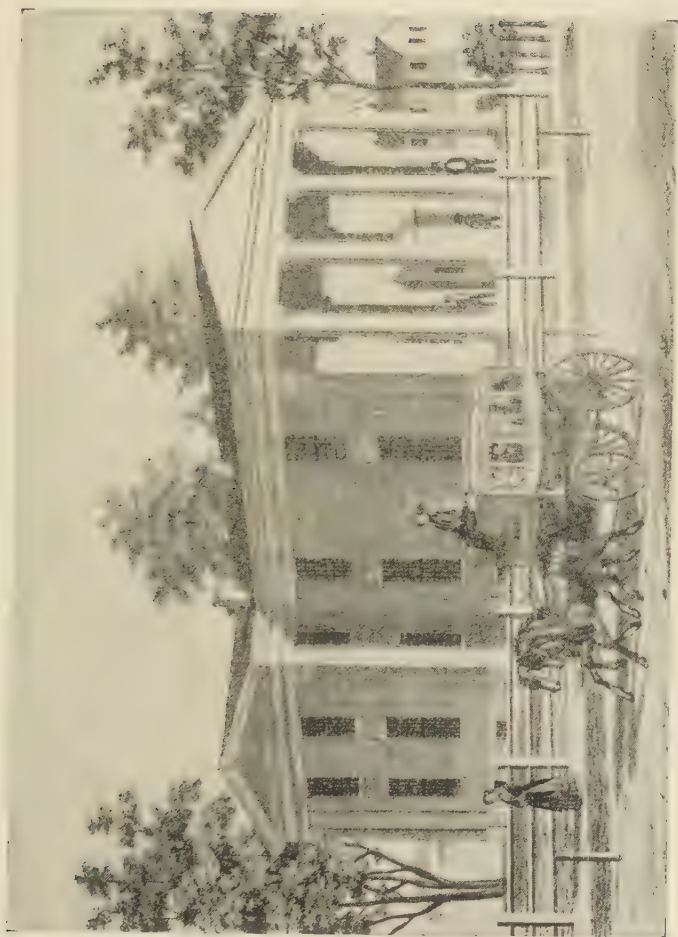
There was indeed a strong Puritanical cast about the author of the "Treatise on Evidence." This is observable in his portrait in the reading-room. He used to

¹ *Memoir of Greenleaf*, 16 *Law Reporter*, 413 (1854).

² *Pierce, Memoir of Charles Sumner*, ii, 25.

annotate a portion of the Bible every day; and he published an attempt to apply the rules of evidence to the writings of the Evangelists, which proved more of a curiosity than a success. In one of his letters he describes himself as cultivating cheerfulness as a religious duty. What few specimens of his wit remain, however, lean toward the ponderous, and would tend to prove that the cultivation was carried on upon a somewhat barren soil. In his sitting-room he would write or study for hours, surrounded by his family and their friends, conversation, games, music, and the thousand distractions of a household that was distinctly a "going concern," yet absolutely serene and undisturbed, so great were his powers of concentration. Perhaps his best-remembered remark was on the occasion of an especially bitter winter's morning, as he was leaving his house for the Law School. His wife exclaimed, "What a storm! I wish you did n't have to face it." "Well, my dear," replied Greenleaf, "as I can't *fecit per alium* I must *fecit per se*."

Thus under these two great masters, occasionally assisted by lesser lights, the school grew and prospered exceedingly, till the increase of students and library demanded an addition to Dane Hall. Accordingly the long transverse portion of the fabric was built, and opened in 1845 with brilliant ceremonies. Judge Story, in presiding at this occasion, was unwittingly perform-



DANE HALL ABOUT 1855

ing one of his last good offices for the school. His health had been worn away by his triple exertions as teacher, author, and judge. For thirty-three years he had missed but one term of court at Washington; yet when he realized he must give up some of his work he preferred to keep that at Cambridge, and was just arranging his resignation from the bench when he was stricken with his last sickness. For over two years Professor Greenleaf, having been promoted to the Dane Professorship, performed almost all the work of the school, until he too felt his health giving way, and was compelled to resign. The chair was then accepted by Theophilus Parsons, of Brookline. He was at that time in a large Boston practice, leaving his house so early and returning so late that he had hardly any home or family life at all; and he used to tell how his young son one day inquired, "Mother, who is that nice gentleman that sometimes spends Sundays here, and seems so fond of me?"

The Royall Professorship, left vacant by Greenleaf's promotion, had meantime been held for a year by the son of Chancellor Kent, and was then filled by Joel Parker, Chief Justice of New Hampshire. Under him and Parsons the main work of the school went on for nearly a decade. The University Professorship was revived for a year, with F. H. Allen as incumbent, but he resigned in 1850. Other well-known names are asso-

ciated with this period as instructors or assistants, among them R. H. Dana, 2d, George Ticknor Curtis, and the author of "Cushing's Manual." The eminent Wheaton, appointed to lecture on the Law of Nations, died immediately afterwards; and Edward Everett, appointed some years later, never took the position.

Again, as in the previous era, the two principal figures claim our attention. Each curiously resembled the former occupant of his chair. Parsons was a fascinating lecturer, a most genial and social man. I am indebted to the late Professor Langdell for the following characteristic reminiscence of him:

It was the custom in the old days, on the first day of each term, for the students to assemble in the library for the purpose of meeting the professors, and listening to an address from one of them. . . . On one occasion, when Professor Parsons delivered the address, he explained to the new students that . . . they had to study English decisions very diligently. "Do you ask me," said he, "if we have not achieved our independence, if we are still governed by England? No, gentlemen, we have not achieved our independence. England governs us still, not by reason of force but by force of reason."

Parsons was really more of a *littérateur* than a lawyer. He openly expressed his dislike of, and unfitness for, the more technical parts of the law, such as Pleading and Property. He had a certain poetic dreaminess of temperament that, while apparently not interfering with his professional success, did seriously affect his financial affairs, which constantly suffered from his credulity and

over-sanguine expectations. An indefatigable writer of textbooks, he possessed that unusual legal accomplishment—a charming literary style. He clothed his propositions in such a pleasing form that, like sugar-coated pills of legal lore, they were swallowed and assimilated with the minimum of effort and the maximum of enjoyment. His works were even more popular than Story's. It is said that his "Contracts" achieved the largest sale of any law book ever published. Seven other treatises stand to his credit, on one of which alone he is reported to have netted a profit of \$40,000. His lectures, for clearness, scope, and literary excellence, have often been compared to those of Blackstone. He delighted in laying down broad views of the subject, sometimes carrying his generalizations to an extreme.

Parker, on the other hand, though deeply respected for his thoroughness, was precise, minute, and involved to the point of obscurity. If a single step of his logic was lost by the listener, farewell to all hope of following to the conclusion! His law on any given question was sound, absolutely and exasperatingly sound; but he could no more give a comprehensive view of a whole topic than an oyster, busy in perfecting its single pearl, can range over the ocean floor. In private life, however, the Chief Justice was always interesting and often witty. It is worth while to quote his account of his

tribulations after having been prevailed upon to leave the New Hampshire court and accept the chair of Royall Professor at Cambridge:

I had no experience, nor even knowledge of the details of the service to be performed, as the President well understood; and on taking my seat, at the March term, 1848, having had no leisure for any preparation whatever, I encountered difficulties which seemed formidable, and were certainly embarrassing. I found that . . . to my dismay, Shipping and Admiralty was upon my list for that term. My residence in the interior of a state which had but one port, the business of which was nearly all transacted in Boston, had given me no occasion to become acquainted with that branch of the law, and I tried in vain to escape by an exchange. Professor Greenleaf's answer, that he was then in the middle of his topics for the course, showed that he could not comply with my request. So, frankly stating the difficulty, I told the students I would study the textbook with them. . . . In June, Professor Greenleaf's health failed, and he left the School . . . thus wholly on my hands for the remainder of the term, with an experience of something more than three months to direct me.

Upon a new division of topics in the course of the vacation, with Professor Parsons, who succeeded Professor Greenleaf, I was desirous of retaining Shipping on my list, in the hope that my studies on that subject, during the last term, might avail me somewhat in another course of lectures; but the answer that his practice had been in Boston, and that branch of the law a specialty, could not but be admitted as a conclusive reason why I should give it up; as I did also the other textbook which had served as the basis for my other course of lectures; so that I entered upon my second term with the necessity of entire new preparation so far as lectures were concerned.¹

In appearance and character Parker was a type of the best of the New England country gentlemen of his day. He was of so dignified and commanding a figure that a

¹ Parker, *The Law School of Harvard College*, 16-21.

stranger, even passing him on the street, instinctively felt the presence of a great man. His portrait in the Law School, like those of Parsons and Washburn, is vouched for by men who sat under him as an excellent likeness. He was of high breeding, inflexible honesty, constant hospitality, strong religious convictions, and sometimes confessed in private to a passionate love for the British poets. His blunt, outspoken sincerity rivalled that of President Lord, of Dartmouth College fame, to whom it is said he once exclaimed, in the heat of an argument, "Sir, this modern education is all a humbug"; and who instantly replied, with great heartiness, "Judge Parker, I know it is."

If Parsons was *suaviter in modo*, Parker was *fortiter in re*. Polemics were his delight. A good stand-up fight was meat and drink to him, and he entered it with a genuine "neck-or-nothing," "never-say-die" relish. For spicy reading, and at the same time for an excellent history of the Law School, there are few articles better than a pamphlet¹ he published in reply to some criticisms on the school, which appeared in one of the law reviews of the time. His intense conservatism, which brought him into unpopularity during the Civil War, is seen in the following anecdote by Governor Chamberlain (LL.B. 1864) of South Carolina:

¹ *The Law School of Harvard College* (N. Y. 1871).

About the beginning of the war, Judge Parker was lecturing on the suspension of the writ of habeas corpus, expressing himself very strongly against it. One of the students interrupted him by stating (what he thought to be) a very strong case of treasonable acts against the government, and asked him if he would not suspend the writ of habeas corpus in such a case. "No, sir," said the judge, "I would not suspend the writ of habeas corpus, but I would suspend the corpus."¹

In 1855 the University Professorship was again revived, by the exertions of Parsons, who carried the appointment of Emory Washburn, of Worcester, at that time just quitting the governorship of Massachusetts. This chair Washburn held till 1876, although its name was changed to the Bussey Professorship, in consequence of large additions to its foundation by Benjamin Bussey, of Roxbury. Washburn had been a student at the school in the old "one-man-corporation" days of Asahel Stearns, and had built up an enviable practice in the heart of the Commonwealth. His success, single-mindedness, and high integrity had won for him a notable degree of public confidence. He was promoted from the bar to the bench. He was elected successively to both branches of the legislature. He was actually nominated for the governorship (the last successful candidate of the old Whig party) during an absence in Europe, and — incredible as it sounds to-day — without his own knowledge.

¹ Quoted in a letter to the author from Professor Langdell, 1901.

His interests were broad and varied. He was foremost in prison reform and in the direction of various benevolent institutions. He was an enthusiastic antiquary, especially in New England town history, and was vice-president of the Massachusetts Historical Society. He was a copious writer for the press, and was in constant demand as a speaker. His public spirit was unflagging and direct. Governor Bullock tells of seeing him, during war-time, marching as a private in the "home guard" at a military funeral. When Bullock expressed his surprise at the humble part taken by a former chief executive, Washburn, at that time considerably over sixty years old, replied quite simply, "Oh, yes, I have done this often, sometimes at night. I like to help along when I can." ¹

Washburn had an enormous capacity for work. He seemed to have mastered the art of living without sleep. From an early morning hour till far into the night he was to be found at the school in his "private" office. Never was there a more delicious misnomer, for he was deluged with an unending stream of callers — friends, strangers, students, politicians, and clients. Despite them all, however, and the demands of his teaching and practice, he managed to produce a number of professional works of the highest excellence, notably those on

¹ American Antiquarian Society *Proceedings*, Mar. 20, 1877, p. 13.

“Easements” and on “Real Property,” which, in constantly appearing new editions, continue to be the standards of to-day.¹

As a lecturer he was delightful. Mr. Justice Brown, who sat under his instruction, characterizes him as “a strikingly handsome man, an intellectual man, whose eloquence made even the law of contingent remainders interesting, and the Statute of Uses and Trusts to read like a novel.”² So great was his popularity that it was not uncommon for undergraduates and members of other departments to stroll over to the law lectures “just to hear Washburn awhile.” His prodigious power of throwing himself body and soul into the case before him, were it that of actual client or academic problem, joined to his long experience and public prominence, gave assured weight to his words; while his wonderfully winning personality, his genial spirit, and his well-remembered hearty laugh gained him the love and esteem of every listener.

Indeed, Professor Washburn will go down in the history of the school, above all his professional excellences, as preëminent for his humanity. Mr. Brandeis, in his sketch of the school, epitomizes him as the most beloved

¹ Gray, in his *Nature and Sources of the Law*, speaks of Washburn, along with Story, as among the five American text-writers on the law whose works have become *authorities*.

² *American Law Review*, xxix, 597 (1895).

instructor in its annals. Every student seemed the especial object of his solicitous interest. He not only acted as director, confessor, and inspirer of his pupils during their stay in Cambridge, but somehow found time to correspond with them, often for years, after they had scattered throughout the length and breadth of the land.

But enough of the instructors of those days. What of the students themselves, the embryonic LL.B.'s who filled the corridors of Dane Hall and assisted in holding down its benches? Then as now a considerable number in every class graduating from the College flocked somewhat blindly to the Law School. But a large proportion (sometimes rising to one half) of its students had no college training. Parker's original plan of "a school for the instruction of resident graduates" was soon lost sight of, and the institution assumed a most heterogeneous character. The national reputation it early attained drew recruits, some entirely raw, some with a little office experience, from the most remote parts of the country. Aspirants from the Middle West elbowed ambitious lads from far-away California; and up to the Civil War the catalogues were full of fine old family names from the South. Requirements for admission there were none; attendance at the lectures, though very general, was wholly voluntary; for a degree the sole stipulation was enrollment as a member of the

school for eighteen months. Happy days of lightly won "sheepskins"! In the College itself the A.M. was merely a premium awarded to any one who survived his A.B. for three years; and many graduates refused to take it on account of its utter worthlessness.

Short as was the school course, even shorter periods of residence were common; there was a regular arrangement by which a man on payment of twenty-five dollars could enroll in the school for half of one term. As may be easily imagined, such a brief exposure to the classic Cambridge influences produced little effect on the more erratic spirits of the school; and the quaint legend of the manner in which a poor but ingenious candidate from "down East" managed to save all expense for light, while preparing himself for college, by studying in a lighthouse, is not more incredible than that of the newly fledged LL.B. who was discovered setting out for legal conquests in the far West equipped solely with an axe and a demijohn of ink.

Once fairly started on the legal path, the student of those days found the life by no means hard. His textbooks were lent to him by the school, the library having a vast stock of duplicates of the standard treatises. These he studied, or not, as he felt inclined. One of the instructors of that golden age admits in his memoirs that though "a list of books was made up, for a course

of study and reading, which was enlarged from time to time, it cannot be strictly said that this course was prescribed, for nothing was exacted." Lectures began at eleven and ended at one, Saturday being *dies non*. Usually the same professor occupied the chair for both hours, changing his subject at noon. Between the two lectures there was an intermission of fifteen minutes. It was considered the proper thing to spend this interval in a visit to Lyons's beer-cellar across the street, and drink a glass of half-and-half; result — a general somnolence during the succeeding hour.¹

Of the lectures themselves there were two characteristics that differentiated them sharply from their modern equivalents — a charming tendency, especially in the reign of Story, to wander from the subject into fields of reminiscence and general theory as pleasant and almost as instructive, and the fact that everything was based on textbooks. But these latter were often lost sight of and overlaid with a colloquial expanding of general rules, questions on (hypothetical or actual) parallel cases, queries from the students, and expressions of opinion, which must have produced a total effect surprisingly like a lecture of to-day. Thus Professor Joel Parker gives a lively account of his first experience in the classroom:

¹ George A. Torrey (LL.B. 1861), *A Lawyer's Recollections*, 78.

I was to deliver a *lecture* upon a certain topic, but there was a textbook which furnished the foundation. . . . It was not expedient for me to state the propositions in the words of the text. The students were acquainted with them already. It would be of little advantage to vary the phraseology. If the textbook was a good one, how was I to deliver a lecture without a "departure," which lawyers well know is, in pleading, obnoxious to a special demurrer? I availed myself largely of my privilege, however, and having made an earnest request to the students to ask me any questions on their part, they availed themselves of their privilege. The School was at that time a very strong one, and so we had for some time a lively interchange of interrogatories. It was not difficult to perceive that the students were disposed to try the new Professor, and I enjoyed it, for, having been fifteen years upon the Bench, I felt much more at home in answering questions than I did in delivering Law lectures, properly so called.¹

Despite such individual points of excellence, the general scheme of instruction at the Law School was for many years in amazing confusion. The courses were designed to cover two years' work; but, apparently on the principle that the law has neither beginning nor ending, only half of them were given in any one year; so that it was entirely a matter of luck whether on entering the school you found yourself at the beginning of the curriculum or plunged into the middle of it.

A considerable offset to this disjointed state of theory was the attention paid to practice in the moot courts. These, if not invented, were certainly brought into great prominence, by Judge Story. One was held at least

¹ *The Law School of Harvard College*, 17.

every week, and in the height of the system on Monday, Wednesday, and Friday afternoons. One of the professors presided, and all the students were expected to attend and take notes; though this operation usually consisted in copying down verbatim both the briefs, which, in those days of expensive printing, the counsel slowly read aloud from manuscript. The cases were always on agreed facts, often taken from the actual experience of the presiding justice. Twice a year there were regular trials before a jury drawn from the undergraduates, or sometimes (with a delicate humor) from the divinity students. These affairs were made the occasion for a sort of solemn festival, and the courtroom was crowded to its utmost capacity. Many a great name in the history of the bench and the bar won its first recognition in these mimic combats. In point of fact, noisy applause and uproarious expressions of approval rather spoiled the sought-for dignified effect of a real court, and were sometimes excessive.

The law clubs, too, were an important element in the work of the school. They were named for great legal writers — the Fleta, the Marshall, etc. The Coke Club was of immemorial antiquity, and usually contained the most brilliant students. The average number in a club was from fifteen to twenty. They met in some of the smaller rooms in Dane Hall, and argued cases. On any

case there was but one counsel for each side and one judge. The cases were usually those which had been announced for approaching moot courts; so interest and attendance on the latter were always kept at a high level.

Besides these, there was a "Parliament" or debating society, which met once a week. Political feeling, especially just before the Civil War, ran very high; and the Southern students, ever craving social and civic leadership, particularly delighted in public speaking and argument. With the outbreak of hostilities this large element in the school disappeared, never to return, and the attendance fell, at its minimum in 1862, to sixty-nine students. After the war it rose again to a maximum (177) slightly above the former, augmented by a very different class — older men, dislodged from their places and vocations by the general upheaval, and turning to law as a possible means of improving their condition.

Before leaving this side of the subject, something should be said of Dane Hall itself, that legal crucible where so much bright gold was refined and uttered. It was built at the height of the classic revival, when every architectural project, from a stock exchange to a woodshed, was relentlessly cast in the mould of a Greek temple. Rather curiously, its pillared and pedimented portico and prim proportions formed the only example

of the style that Harvard ever possessed. Nor was even that example preserved; for, architecturally speaking, the hall had an unhappy history. Although vastly admired at first, it soon began to get unsympathetic handling. Its correct proportions were ruined in 1845, when the rapid increase of the school compelled the addition of a transept (40 by 60 feet), larger than the original building (40 by 50 feet), at the rear, making a ground plan like a letter T. In 1871 the whole mass was moved somewhat to the south, to make room for erecting Matthews Hall. In the process, the graceful portico was ruthlessly discarded, and replaced by a squat and ugly brick vestibule. After 1883, when the school deserted it for still larger quarters in Austin Hall, the fabric was altered and realtered, added to and knocked about, for all manner of temporary purposes, including the Bursar's office and the first home of the Coöperative Society. Finally in 1918, while its basement was filled with cartridges for the Naval Radio School, it was gutted by a mysterious fire; a few months later its walls were razed and its cellar filled in. Thus of Nathan Dane's gift — the only building ever erected in the Yard for a professional school — not a trace remains.

In its heyday, the old or forward portion of the building was divided on both floors into four rooms, lighted by huge windows. Three of the rooms on the ground

floor were appropriated to the trio of professors; the fourth was the library office. One of the second-storey front rooms was occupied as an abode by the student to whom the duties of a librarian were entrusted. Another room was set aside for the meetings of the law-club courts, another for a general sitting-room and study, and the fourth for a reading-room. In the transverse addition at the rear were the library on the first floor and the lecture-room on the second. I believe the old mahogany desk now in the East Lecture-Room of Austin Hall was that used in the original lecture-hall.

In the library, half the space was taken up with bookshelves, the rest with tables and settees. In various corners and alcoves were some half-dozen high desks with stools, which were rented by the janitor at five dollars a term to the few men who knew enough and cared enough to use the library in a continuous and systematic way. Outside this handful of enthusiasts there was but little work done in the library. The textbooks were read by each man in his own rooms, and there was not much examination of the treatises or reports. Besides, there was difficulty in finding anything on the shelves. If you wanted a book, you hunted for it yourself till you found it or got tired.¹

But the greatest obstacle to work in the library was

¹ Letter to the author from John Chipman Gray, 1901.



THE LIBRARY IN DANE HALL

its use by the moot courts on several afternoons of each week — and even by real courts. For Judge Story, conceiving that it would be an inspiration to members of the bar to be surrounded with the works of their great forerunners, and an equal inspiration to the students to get a glimpse of actual court work, inaugurated the practice of bodily transporting the then pliable forum in “jury-waived” cases from Boston to Cambridge, and planting it, *totam curiam*, in the Law School library. The room must have been, indeed, a decidedly uncomfortable studying place. The greatest indecorum of our modern reading-room is to work in shirt-sleeves; but the simplicity of those days thought nothing of the almost universal “chaw” of tobacco, and what is worse, if I may be pardoned a legal phrase, provided no receivers for the ensuing liquidation.

Cleaning anything was apparently the last idea of the janitor. That functionary, for a generation or more, was an original genius named Sweetman. Born in Ireland, and bred for a parish priest, he had come to this country and fallen upon evil days, being glad to get a job at street digging. President Quincy, passing one day, was amazed at a red head emerging from a trench and quoting, in excellent Latin, the lines from the *Bucolics* concerning the pleasures of the husbandman. He took the orator into his own service, but finding him perhaps too

much of a handful, turned him over to the Law School. Here Sweetman became an autocrat. His professional duties, as popularly understood, he limited to opening the doors in the morning and locking them at night. He was deeply aggrieved if asked even to replace library books left on the tables, and seizing on the maxim so frequently used in Torts, modified it to suit his own purposes thus: *Sic utere libris ut me non lædas*. But he invented other and higher duties. He attended all the lectures, and subsequently gave the speaker the benefit of his criticism, on both delivery and doctrine. He exercised a general supervision over all matters connected with the school, and in his later years became a terror to everyone in or near it. However, he was at last displaced by the wave of reform that swept over the school about 1870. The keynote of this great series of changes may be given in the words of President Eliot:

Formerly it was not the custom for the President of Harvard College to have anything to do with the professional schools. I remember the first time I went into Dane Hall after I was elected President. It was in the autumn of 1869, a few weeks after the term began. I knocked at a door which many of us remember, the first door on the right after going through the outside door of the Hall, and, entering, received the usual salutation of the ever-genial Governor Washburn, "Oh, how are you? Take a chair!" — this without looking at me at all. When he saw who it was, he held up both his hands with his favorite gesture, and said, "I declare, I never before saw a President of Harvard College in this building!" Then and there I took a lesson under one of the kindest and most sympathetic of teachers.¹

¹ *Proceedings at the 250th Anniversary of Harvard College*, 96.

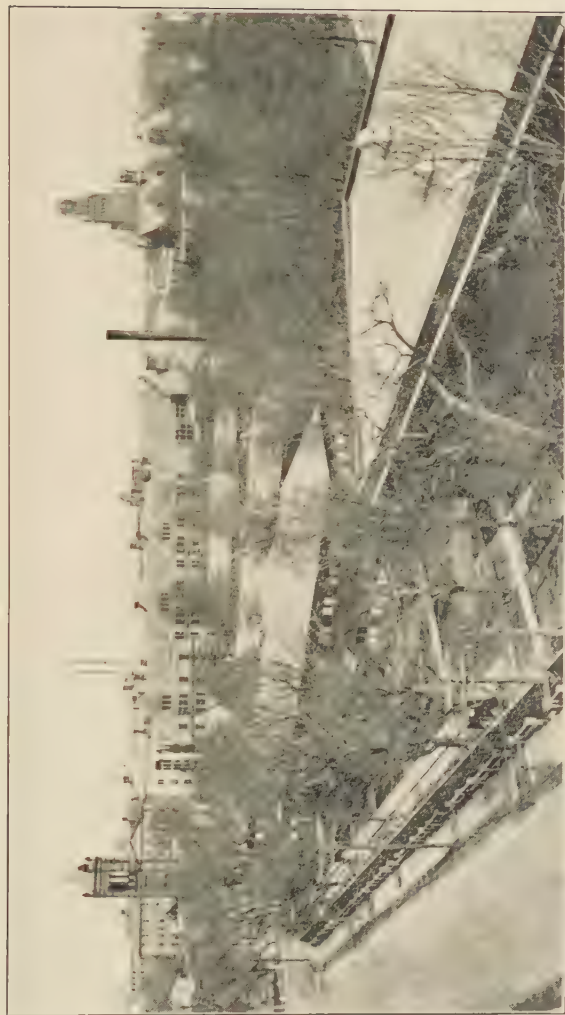
Well might the old professor raise his hands to heaven, for stranger things yet were to happen. It is said that he almost fainted when the first blue-books made their unwelcome appearance, and he realized that regular written examinations, with all the labor they imply, were to be required for a degree. The old eighteen-months term of residence became two years.

Changes of this sort paved the way for the next great change. The old staff of preceptors, oppressed with new burdens and trammelled by unaccustomed supervision, felt that their places should be taken by younger men, more conversant with modern conditions. Within a few years of each other, they all quietly and gracefully resigned, and a new and enlarged corps of teachers took up their work.

Of this remarkable group of instructors, and the stupendous revolution they wrought in the teaching of the law, of the epoch-making publication of "Cases on Contracts," of the extension of the term to three years, of the enormous increase in attendance, of the building of Austin and Langdell Halls, and of the phoenix-like reincarnation of old Nathan Dane's idea, "the systematic and scientific study of the Law," I do not propose here to speak. The spirit of Isaac Parker looks down to-day upon the school "devoted to study only," and beholds that somewhat shaky educational experiment now be-

come the most famous of all the departments of Harvard, drawing students from every portion of the civilized globe, boasting the greatest law library in the world, and exerting an influence on jurisprudence that cannot yet be calculated. Such matters, as the Psalmist exclaimed, are too wonderful and excellent for me. I have merely endeavored to rescue some old stories from oblivion, and to collect and present, however imperfectly, a few memories of the Old Times at the Law School.

BARRACKS ON CAMBRIDGE
COMMON, 1775-1918



NAVAL RADIO-SCHOOL BARRACKS ON THE COMMON 1918

Waterhouse Street on left. The building in the foreground occupies approximately the site of the "Laboratory" of 1775.

VII

BARRACKS ON CAMBRIDGE COMMON, 1775-1918

THE delay in removing the barracks of the U. S. Naval Radio School from Cambridge Common recalls a somewhat similar state of things that prevailed there after the Siege of Boston, a matter of nearly a century and a half ago. The army, however, and not the navy, was then the invader, although in both cases the story is considerably mixed up with the affairs of Harvard College.

It is not generally known to what a surprising extent the American Army was housed in specially constructed barracks during the autumn of 1775. At first, during the spring and summer, the militia who concentrated on Cambridge were naturally billeted in any empty buildings available. Of these, by good luck, there were many more than could reasonably have been looked for in a village of only about fifteen hundred inhabitants. The women and children having all left town, a number of the dwelling-houses were practically vacant. The wealthy Tory clique had sought the protection of General Gage in Boston, and also left their stately man-

sions, with all sorts of outbuildings, ready for the first comers. Their Episcopal church too (Christ Church) made most commodious quarters. But the largest and best-arranged single source of accommodations was found in the buildings of Harvard College, which was promptly hustled out of town.¹ "In the College," or Massachusetts Hall, which normally housed sixty-four "scholars," were squeezed no less than six hundred and forty men; "in the New College," or Hollis (built 1764), was a like incredible number; "in the Old College" — the first Stoughton — were two hundred and forty; and "in the North Chapel" (Holden) one hundred and sixty were most uncomfortably bestowed.²

¹ It was early in May that the Committee of Safety ordered the students removed from Cambridge, but what was to become of them no one seemed to know. Two days before the Battle of Bunker Hill the Provincial Congress, after much discussion, voted that the library and apparatus be sent to Andover — apparently a mere precautionary measure. At least, any idea of collecting the College there was soon given up in favor of even more retired asylums. Worcester and Haverhill were both talked of as possible locations, but the most likely choice was rumored at first to be New Hampton, N.H.! Not until the end of August was a more courageous attitude adopted and Concord selected — though that town had already proved within striking distance of the British. See note, page 167, *ante*; also *Harv. Grad. Mag.*, xxvii, 497; Quincy, *Hist. Harv. Univ.*, ii, 164; Lincoln, *Journals Provincial Congress*, 334.

² Returns for end of January, 1776. Force, *American Archives*, 4th Series, iv, 846. A few months later Massachusetts Hall very nearly became a military hospital. Among the elaborate orders issued March 4, 1776, in preparation for the occupation of Dorchester Heights and the engagement expected in consequence, was the direction: "The College to be forthwith appropriated to the reception of the Regimental sick, and such as may be wounded." *Ibid.*, v, 113.

Harvard Hall itself, the fifth of the group then existing, was used mostly for storage, partly of the college property left behind (carefully guarded) and partly of food for the army, including barrels upon barrels of salt beef contributed by the neighboring towns.¹ Since it contained also the college kitchen—the like of which for size was unknown in all New England—it was of peculiar assistance to the commissary department. It was likewise of unexpected value to the ordnance branch: when it was rebuilt after being burned in 1764 its roof had been made as nearly fireproof as possible by a covering of lead; and a thousand pounds or more of this much-sought-for metal was now stripped off and run into bullets. The University, in short, had surrendered its premises to the temporal powers even more completely—and probably far less gracefully—than in the martial period from which it is now just emerging.

When all discoverable quarters, public and private, had been filled to capacity, and still more of the farmer-soldiers kept arriving, a miscellaneous shanty-town of tents, huts, and booths was run up all over the village. The Reverend William Emerson, of the class of 1761, has left a picture of the scene in terms considerably

¹ *Harvard Book*, i, 142 n. One of the first orders issued after the militia assembled in Cambridge was to post “a Centry between the Apparatus [chamber] and Library” in the upper corridor of Harvard Hall. Henshaw’s *Orderly Book*, April 26, 1775, in *Mass. Hist. Soc. Proceedings*, xv, 92.

livelier than we associate with ministerial utterances of those days:

It is very diverting to walk among the camps. They are as different in their form as the owners are in their dress; and every tent is a portraiture of the temper and taste of the persons, who encamp in it. Some are made of boards, and some of sailcloth. Some partly of one and partly of the other. Again others are made of stone and turf, brick or brush. Some are thrown up in a hurry, others curiously wrought with doors and windows, done with wreaths and withes in the manner of a basket. Some are your proper tents and marquees, looking like the regular camp of the enemy. In these are the Rhode Islanders, who are furnished with tent-equipage, and everything in the most exact English style. However, I think this great variety is rather a beauty than a blemish in the army.¹

But as cold weather drew on, and it became evident that the British shut up in Boston were playing a waiting game which might last almost indefinitely, the necessity arose of providing more permanent and suitable quarters for the "army," the Cambridge section of which had grown to more than 4000 men. A regular series of temporary barracks was therefore begun, including some on the Common and some apparently in the College Yard. From a "return" dated April 4, 1776,² it appears that in "Cambridge Town" and at "Number Two" (the fort at Putnam Avenue and Franklin Street) there were no less than 44 of these structures — not only barracks but "Shops and Stores," "Gard houses," "Offices," a carpenter shop, and an armorer's shop.

¹ Sparks, *Writings of Washington*, iii, 492.

² Washington MSS., Library of Congress.

The floor dimensions varied from 108×17 for three of the largest barracks to 16×16 for two guard-houses and 10×14 for two offices. The usual width was 17 feet. In almost all cases the height at the eaves was 7 feet, which with an ordinary pitch roof (apparently 10 feet at the ridgepole) would just allow comfortable head-room. The carpenter shop, though, to give space for handling lumber, was $65 \times 28 \times 9$. The longer buildings were partitioned off into "cabbins" holding, like the rooms in the colleges, twenty men each. Most of them appear to have had chimneys and fireplaces — a highly desirable addition, as the windows seem to have been mere holes.¹ Only in a very few cases are "glass windows" mentioned, and then with evident pride. Besides the special constructions there were "also three Barns maid in to Barracks Two Store [storeys] high about 35 by 30 feet Big."

Through the diary of James Stevens,² a carpenter of Andover, we can follow in considerable detail the erection of this sudden addition to the real estate of Cambridge and Harvard. On October 6, 1775, he notes, "this morning I entered the Carpenters works." On the

¹ Two years later, a Hessian prisoner quartered on Winter Hill wrote: "These barracks have been erected without foundations, and with bare boards, through which, from above, below, and all around, drive in the wind, the rain and the snow. They have no windows, only holes." Letter of December 18, 1777. Schlözer, *Briefwechsel*, Part iv, Book xxiv, 376.

² *Essex Institute Collections*, xlviii, 41 ff.

7th and 8th, "I workt on the Baruks in the yard." On the 9th, "this morning we Began a frame Before the Coleg [at this date the five Harvard buildings all faced west towards the Common] & danil peabody was our master workman." From the 11th to the 13th, "I workt on the Baruks in the yard." Here he was interrupted, and "ordered to fix a old Barn for the province use . . . we workt at the Barn sargent Hardy & J. plats & Woodbary & I." Then he "went to worke to the Hospital" for a week or so. On November 8th, however, "I workt on a lital fraim in the yard" — perhaps one of the "offices." From the 10th to the 12th, "we workt on a Beruke afore the Colige." From the 14th to the 16th, "I workt on the fraim afore the colig," on the 17th, "we fraimed of won side & part of tother," and on the 18th, "we finisht the fraem jest at Night." On Sunday November 19th he began one of the big jobs: "this day we Lokt out som sils for a Nother Baruk a hundred & Eight fot Long & got them to gether." On the 22d he was again called off, first to work "on a Barn to fix it to make Cartridges in," and then on "the gard hous to go to Cobil Hil." But by Wednesday the 29th he returned "to worke on the Baruke afore the Colig," and continued until December 6th: "this day we raisd a Baruk a Crost the Common & then went & Laid out a Nother hundred & Eight feet long."

The erection of even these simple structures was not unattended with danger, especially if the time-honored accompaniment of all "raisings" was present — New England rum. Stevens (who, by the way, was quartered in one of the Harvard buildings) records on October 26th "jest at Nigt Raising won of the Baruks one for us belonging to our Chamber fel of the frame & hurt him selfe very bad." ¹

It is an odd parallel to the latest industrial developments in modern warfare to find that even in the days of our patriotic forefathers "the man behind the man behind the gun" fully appreciated the importance as well as the difficulties and dangers of his job. On December 10th a fit of economy seized the paymaster, and the carpenters' wages were cut down to eightpence a day, or a pound a month. No recent strike in shipyard or munition factory ever materialized more quickly: "the men al Left of Worke" and "was all deesmist." Next day the authorities realized their error, and a conference was held. Little by little they increased their offers until they promised that "if we would go to work we should

¹ At the erection of Wadsworth House in 1726 it was noted as a remarkable circumstance that "no life was lost, nor person hurt, in raising the frame." *Harv. Book*, i, 138. So much stimulant was consumed on these occasions that the word became a synonym for a carouse. Lieutenant Fitch, stationed at Roxbury in 1775, describes in his diary a visit to some convivial friends near by: "We spent the evening very agreeably, had what Capt. Jewett called a raising, &c." *Mass. Hist. Soc. Proceedings*, 2d Series, ix, 70.

have £7.10 a month." This figure was the pay of a regimental surgeon! In Boston, we may add, the carpenters cannily capitalized their patriotism, and refused to build barracks for the British troops, so that wages rose to a pound a day. And yet we now complain of the "unheard-of" extortion whereby a laborer receives more than a professional man.

But Stevens had plainly built barracks enough. He went home on furlough, and after his return became company cook. In the latter part of January, though, he "went to worke on jenuarel putmans store," seemingly in what is now Cambridgeport. This occupied him for over a month: he made a "pare of stars," "finished a rom on the inside," "made Bunks," "seling up the inside & finished the seling," and turned out "som forms for the jenerl & som tables," almost up to the Evacuation of Boston in March.

Stevens's careful distinction between the barracks "afore the colig" and those "in the yard" suggests that the latter were placed on the unoccupied land just *behind* the buildings which then existed — about where University Hall now stands. This would be a very natural location, especially if (as seems probable) there was a row of breastworks nearly on the line of the present Quincy Street.¹ Certainly the Yard at this date was

¹ Cf. note, p. 57, *ante*.

quite a sizable enclosure. "63 rods of board fence that was round the Colledge yard" were torn down by the soldiers for firewood, and were duly charged among the damages suffered by the College.¹

Despite all this activity in and around the Yard, the buildings actually used for barracks there accommodated only 640 men. They were at first occupied by Glover's regiment from Marblehead. At the end of January, 1776, they were described as "Col. Glover's barracks, improved [that is, occupied] at present by the Militia, 32 rooms holding 20 men each."² This group of sheds was intended to relieve the strain on the private houses in the neighborhood; but as early as October 6th General Washington wrote to the Massachusetts Council: "I find it will be impracticable to provide sufficient Barracks for the Troops before the Season is too far advanced without appropriating many of the Houses in & about Cambridge to this Use. Many of the Inhabitants who had deserted them are now returning under the Protection of the Army. I feel a great Repugnance to exclude them from what is their own, but Necessity in this Case I fear will supersede all other Considerations."³

¹ Harvard College Papers, ii, 44.

² Force, *Amer. Arch.*, 4th Series, iv, 845. This is the only entry for Cambridge proper (outside the College) in these very complete returns.

³ Mass. Archives, 194/145.

The barracks in the present Cambridgeport were much more numerous, and held about 3400 men. Nor were these two sets by any means all. For the large division of troops stationed on the hills to the north of the town, and virtually unprovided with any other billets, an astonishing number of these long sheds were built. On Winter Hill 54 went up, including an extra big one 120 feet in length. Thirty-three of them, however, were "gardhouses, offices, etc.," only 18×16 , so the total number of men housed there was 3300. On Prospect Hill were 41, of which 30 were barracks 108×16 , holding 3460 altogether. Others at Lechmere Point, at Brookline, at Roxbury, and at Dorchester brought the "Number of all Sorts of Buildings" enumerated in the return up to the impressive total of 223, not to mention "1400 feet in length of huts Not fraimed" at Winter Hill, "Posts Sot in the ground, mostly with floores Chimnys Cabbins &c about 16 feet Wide," — probably in process of construction when the Evacuation took place.¹

After that world-shaking confession of British inferiority, the army rapidly forsook its winter quarters and moved off to New York. The dispossessed collegians

¹ These figures are not without interest, inasmuch as they show the earliest systematic attempts to house the American Army — attempts which on the whole seem to have been highly successful. During this first winter the troops were probably better quartered than in any subsequent campaign of the war.

returned to their sadly maltreated halls. Barracks became a drug in the market. No systematic disposal of them seems to have occurred to anyone. A report on their condition filed with the above return states that "notwithstanding Care hath bin Taken to Nail up the Barracks as the Soldiers are ordered out, I find many of them Brook open Whereby thay are Exposed To Much Dammage from Winds & Weather. Also many Poor familys on Winter & Prospect hils Removd into sd Barrack." This last use of them was doubtless particularly popular with the burned-out inhabitants of Charlestown, hard by. Indeed some of the smaller and better-built sheds were purchased and moved away, to be converted into permanent dwellings, which were long known as "ten-footers."¹ Some at Prospect Hill and Brookline were seized upon by progressive doctors as appropriately cheap and nasty locations for experiments in smallpox inoculation.

The barracks on Prospect and Winter Hills were again forced to do duty in 1777 and 1778 for the "Convention Troops" under Burgoyne, brought from the fatal field of Saratoga, to await here, through a wretched winter, their promised repatriation — which, to the eternal shame of the American Congress, never came to pass. By that time the flimsy sheds were fast falling

¹ H. F. Woods, *Historical Sketches of Brookline, Mass.*, 23.

into decay, and freely admitted the snow and bitter winds of the hilltops. So bad indeed was their state that strong efforts were made to follow the precedent of two years before and take the Harvard buildings once again for barracks. But to turn over the halls to the patriot heroes was one thing; it was quite another to vacate them for the sake of a despised and vanquished foe. The college authorities objected most strenuously, on the pretext that such action was unnecessary.¹ In the end they succeeded in a compromise, whereby the only building given up was the small structure on the site of the present College House. This was appropriated for some of the superior officers. For the rest, Ensign Anburey wrote:

We reached the barracks on Prospect Hill very late in the evening, which were unfortunately in the worst condition imaginable for the reception of troops, being so much out of repair that we suffered severely from the inclemency of the weather; the barracks were in fact bare of everything; no wood, and a prodigious scarcity of fuel, insomuch that we were obliged to cut down the rafters of our room to dry ourselves. The method of quartering was dreadfully inconvenient, six officers in a room not twelve feet square.²

The probable ultimate fate of most of the barracks is here suggested. As all the vicinity of Boston had been swept bare of firewood, it is most likely that these rough sheds, as they dropped to pieces, were gradually appro-

¹ The story has been entertainingly told by Fitz-Henry Smith, '96, in the pages of the *Harv. Grad. Mag.*, xi, 50.

² November 30, 1777. *Travels through America*, ii, 59.

priated by the remaining inhabitants, and went up in smoke on their hearthstones. A group of the "shops and stores" on Cambridge Common, however, seems to have been kept in serviceable condition, and used for the preservation of the considerable accumulation of more cumbersome and less valuable warlike material left behind in 1776 and subsequently added to from time to time. In particular, the old "laboratory" or magazine remained for many years on the westerly end of the Common at the corner of Waterhouse and Garden Streets. As early as 1777 Anburey calls Cambridge "now only an arsenal for military stores."

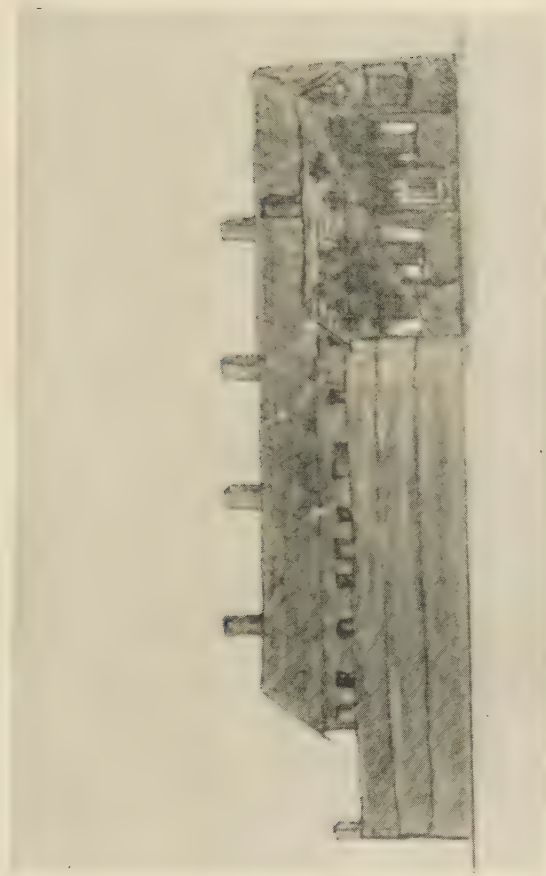
This curiously bellicose reputation for a quiet university town persisted for some time. The results were unexpectedly practical; for when in 1796 the State of Massachusetts decided to establish an arsenal of its own, it turned to Cambridge, and selected a site on Garden Street only a few rods beyond the Common. Hither some of the old store-sheds were probably moved (as their contents certainly were) to serve until the later erection of the brick buildings still remembered by ancient Cantabrigians. For a time this local Campus Martius cut a great figure. In 1817 old Professor Waterhouse, of the Medical School, who had seen the barracks built, wrote in a strain plainly reminiscent of the original conditions:

It is easy to see that this valuable military depot will extend itself. It cannot be otherwise. In time of war it would doubtless have an armorer's and carpenter's shop, with barracks for a subaltern's guard, with other needful accompaniments.¹

Yet the Doctor's encouraging prophecy (which was inspired by the fact that he was trying to sell the government some of his adjacent land) was hardly fulfilled. For many years thereafter the chief fame of the arsenal was among the undergraduates of Harvard College, who regarded it in the somewhat unique light of a cannon-ball mine. No military historian has been able to compute the number of Revolutionary eighteen- and twenty-four-pounders that ended their *ci-devant* martial careers by an ignominious nocturnal abstraction from their flimsy store-sheds and a precarious existence as *transmittenda* in the rooms of irrepressible youth. In theory they were useful to heat in the study fire, and then to transfer to a cold bed-room to mollify its arctic temperature. In practice they were invaluable for rolling along corridors or bouncing down stairs in the night watches, for dropping unexpectedly out of window by day, and for other delicious variations of the academic routine.² But at about the time of the discovery of gold in California, this ferrous vein of humor seems to have been nearly worked out.

¹ Cambridge Hist. Soc. *Proceedings*, vi, 12.

² See the diverting description by Dr. Peabody, *Harv. Reminiscences*, 197.



THE "LABORATORY" ON CAMBRIDGE COMMON IN 1784

Still, a university is not ungrateful. When at the breaking out of the Civil War the students organized a "drill club," one of its chief functions was "to guard the arsenal"; though one may imagine many an ironical undergraduate performing this curious reversal of parts with his tongue in his cheek. Nor did the Commonwealth make much serious use of the premises. A few cartridges were manufactured there, but little else was accomplished. Indeed, long before the coming in of the present century the whole property was abandoned and only the name "Arsenal Square" now survives. From the antiquated rubbish then disposed of, however, were salvaged the three old siege guns now on Cambridge Common: they form therefore the only extant "exhibit" of the contents of the Revolutionary "shops and stores" which once stood on the same spot. In the course of one hundred and fifty years they probably have not moved a quarter of a mile.

Of the shops themselves, what appears to be the last survivor — the old "laboratory" — can be unmistakably descried in a water-color sketch of the Common made by Joshua Green of the class of 1784, and preserved in the Harvard Library. It is represented as about eighty or ninety feet long, with four chimneys. In front of it is a high board-fence, with a little cottage at the right-hand end, presumably one of the original

“offices” altered over for the use of the custodian. Close by stands the conventional flagstaff to denote government property.¹ How much longer this veteran of that strange mushroom village withstood the hand of time is perhaps bootless to inquire. At all events, we may safely say that no one of that equally sudden growth, the Naval Radio Barracks, matched it in longevity. For the Common, like the College, after serving the needs of the navy as completely as it did those of the army, has returned once more to its intended uses; and in the course of a generation or two the memory of its recent transformation will doubtless become as hazy as that of its occupation for a barrack-square in 1775.

¹ This flagstaff was an important part of the original outfit. In the general orders of March 4, 1776, already cited, occurs the direction: “The flag on Prospect Hill, and that at the Laboratory on Cambridge-Common, are ordered to be hoisted only upon a general alarm; of this the whole Army is to take particular notice, and immediately upon those colors being displayed every officer and soldier must repair to his alarm post.” Force, *Amer. Arch*, 4th Series, v, 113. It is not shown in the reproduction.

WANTED! — “COLLEGE CHARACTERS”

VIII

WANTED!—"COLLEGE CHARACTERS"

WHAT has become of all the "college characters"? Is the modern University to lose the spicy individuality it has always possessed in the past from a long series of quaint and entertaining satellites either officially centred there or gravitating thither on their own account? The traditions of Harvard would indeed be poorer if all the oddities who have clustered round it for well-nigh three centuries had never existed, and there was nothing to look back upon save a dreary perspective of figures correctly conventional and insufferably commonplace.

Happily the facts have been far otherwise. Of old, indeed, such a flat horizon to the college world would have been next to impossible, for characters swarmed in all walks of life. The small and scattered population, the difficulties of intercommunication, the sturdy independence of thought and action, the absence of artificial standards of deportment, and the manifold problems of bare existence — resulting in every sort of irregular substitution and makeshift — produced an amount of diversity in dress, in speech, in habits, and in ideas that

must have been really startling. From parson to pot-boy, every man indulged in his own crochets and styles, his own locutions and mannerisms, which were the combined outgrowth of environment, choice, necessity, and carelessness, and which, seeing that they transgressed no moral law, were accepted as naturally as the vagaries of the weather. One may even suspect that many an ancient worthy gloried in his idiosyncrasies, cultivated them as assiduously as any modern celebrity, and capitalized them with no little success. Thus characters flourished amain on every hand, and Harvard College had its full share, for the simple reason that it could not avoid them. The Yard was as full of characters as a novel by Dickens.

With these harmless, healthy, and enlivening variations among its component elements, society remained well content, until that Revolutionary Era which altered manners and customs quite as much as politics and government. Then the new cult of monotony arose and steadily overpowered picturesqueness and originality. If we accept the Teufelsdröckh theory that man's outward garments are an index to his philosophy, we may say that the period of transition in this locality extended from 1765, when the first pair of pantaloons (those fatally unromantic envelopes) appeared in Cambridge, to 1819, when for the last time an ancient

graduate from the country districts was seen at Commencement wearing a full-bottomed wig.¹

During this interval, if the much-heralded principles of liberty and fraternity were rather irregularly and gingerly applied, that of equality, at least equality of externals, was more and more insisted upon. The new idea of democracy seemed to demand, with a certain self-distrustfulness, that if every man *was* as good as his neighbor, he must prove it by dressing, talking, acting, and (so far as possible) thinking like his neighbor. In the popular creed, this novel application of majority rule rapidly hardened into an ironbound dogma. The astute Alexis de Tocqueville, aged twenty-five, traveling through the United States in 1831, noted with amazement the overwhelming "power of public opinion, which discourages the development of individual character and initiative." This "tyranny of mass opinion," he predicted, would in time prove highly deleterious to the best phases of national development. It would, for example, "gradually destroy that fine flower of individual independence in thought and expression which produces a great literature."² And in spite of all the publishers' agents in the country the prediction seems

¹ Reverend John Marsh of Weathersfield, Conn., class of 1761. See Pierce's "Commencements, 1803-1848," in *Mass. Hist. Soc. Proceedings*, 2d Series, v, 186. Also *Harv. Grad. Mag.*, xx, 634.

² See article by Harold Spender, in *Fortnightly Review* for July, 1921.

to be coming true. He might have added that this same tyranny would also gradually destroy that other fine flower of spontaneous self-expression which gives color and zest to daily life.

For by the same token that is what has eventuated. Every man now smothers his own natural impulses and preferences, in the desire to conform to a conventionalized type. Like an animal with protective coloration, he creeps through the world only too happy to escape observation. His constant terror is to be considered "queer." He suffers agony if forced to wear a straw hat after September fifteenth. He dares not call to the waiter in a restaurant lest other diners should turn and look at him. As for ideas, he finds it safest to let the editor of his paper do his thinking for him, and thus puts his brain in exact alignment with ten thousand others. His garments are restricted to the hues of soot or the different varieties of mud. In a word, the steam-roller of "good form" has obliterated every outstanding point of personality, and crushed the community to a dead level.

While this new Act of Uniformity was being slavishly and even eagerly obeyed in nearly every nook and corner of the country, it was long stoutly withstood in those strong towers of conservatism, the colleges. Not that the tyranny of mass opinion would have lacked for victims there. By what mysterious law of affinity the most

humorsome and bizarre elements of the population tend to attach themselves to the permanent staff of an educational centre, we leave to the theorists. At all events, there they are; and by some inner twist of student psychology, the longer they remain and the more freakish they grow, the more they are beloved. They, and the traditions connected with them, become a fixed and precious part of the scholastic system. College would hardly be college without them. Thus sheltered and encouraged, these odd specimens of humanity have persisted in the groves of Academe longer than anywhere else, like those strange forms of life, extinct in the world at large, which are still found by the naturalist in distant and untroubled isles of the sea.

But to-day, even in their last asylum, they seem in danger of disappearing. Has the University grown too sophisticated to enjoy any longer these delightful educational by-products? Cannot they still be fostered and reanimated to continue the old traditions — to brighten and vary the smug monotony of our modern routine? It were a thousand pities if the long chain should now be broken whose links bind us to such a far-distant antiquity. In the English universities the bedell, the gyp, the bull-dog, and other collegiate curiosities, have come down from a remote mediæval past, always noted for their personal peculiarities, and licensed by immemorial

custom to indulge their inoffensive vagaries unchecked. So through the half-remembered twilight of Harvard's beginnings flit shadowy hints of college characters as piquant as any of their successors.

Let us dip into the "confession" of Mrs. Eaton, the first housekeeper of the little boarding-school (for it was nothing more), in the year of grace 1639:

And that they made their beds at any time, were my straits never so great, I am sorry they were ever put to it. For the Moor his lying in Sam. Hough's sheet and pillow-bier,¹ it hath a truth in it: he did so one time, and it gave Sam. Hough just cause of offence; and that it was not prevented by my care and watchfulness, I desire to take the shame and the sorrow for it. And that they eat the Moor's crusts, and the swine and they had share and share alike, and the Moor to have beer, and they denied it, and if they had not enough, for my maid to answer, they should not, I am an utter stranger to these things, and know not the least footsteps for them so to charge me.²

What ebony face with rolling white eyeballs grins sheepishly at us from this mildewed page? Who was this blackamoor who surreptitiously helped himself to

¹ This fine old Chaucerian word (pronounced "pillyber") was in general use up to the middle of the last century. It seems strange that such a comparative luxury as a pillow-case should have been considered an essential part of an old-time student's outfit. In 1637, Charles Gawdy of Caius College, Cambridge, England, wrote to his father for "two or thre paire of sheets and two or thre pillowbeares." Venn, *Early Collegiate Life*, 217. In 1777 Sylvanus Bourne of Harvard, in one of his letters, observed that he was glad his mother would "take home with her the Pilla bier," which probably needed mending. Bourne MSS., Harvard College Library.

² Savage, *Winthrop's History of New England*, i, 373 n. Original preserved in the Massachusetts State Archives.

beer, and (possibly under its influence) made so free of little Sam Hough's bed? Have we not here the first darkey "scout" of Harvard, progenitor of the whole tribe of college coons and great-grandfather of all Memorial Hall waiters? What fluky breeze of fortune wafted this dusky child of nature from a languorous coral strand to the grim confines of Calvinistic Cambridge? Were colored brethren already hanging round the Square looking for odd jobs ere that classic forum had become clearly distinguishable from the encircling wilderness? And if the Moor slept in Sam Hough's pillow-bier, then, by the shade of Othello (who used a pillow for quite a different purpose), where did Sam sleep? We must fill in the picture for ourselves. History, in its surviving fragments, offers us no further aid; and Tradition, still so young as to be inarticulate, avails us no whit.

Mrs. Eaton's reference to the grievance of bed-making, and her allusion to her maid, dimly adumbrate the first of another great type of college characters — the "goody." Some years later this hazy figure is brought into sharper focus when the Corporation "concluded that Old Mary be yet connived at to be in the College, with a charge to take heed to do her work undertaken, and to give content to the College and students."¹ This would appear the first instance where a member of

¹ Davis, "The College in Early Days," *Harv. Grad. Mag.*, i, 370.

the dishevelled sisterhood is recognized *nominatim* in the official books of the University. One likes to fancy Old Mary was Mrs. Eaton's original slavey, now a wrinkled crone, "connived at" to retain her post by ancient prescriptive right, but plainly as cross-grained and inefficient as ever.

Thus early appear examples of two chief classes of characters, the scout and the goody. Almost as early emerges a third, the undesirable citizen who attaches himself to the institution on pretexts of his own, worms himself into the confidence of the students, and makes himself a nuisance, if nothing worse. The most notorious of these parasites in the seventeenth century was Samuel Gibson. He was one of those pleasant rogues who were probably much more numerous among our revered forefathers than we care to acknowledge. His house, on the remote outskirts of the village (in the present Sparks Street), was as near being a den of iniquity as the straitness and simplicity of the times allowed. There he and his equally unprincipled spouse for many years played the host to the richer and more adventurous of the students — the original "Fast Set at Harvard" — in midnight revelries. The sources of the *menu* in particular were thrillingly irregular, poultry stolen by the revellers usually forming the chief dishes.

As early as 1672 Gibson was fined 40s. by the court

and admonished for receiving scholars at his dwelling, said scholars having shot Captain Gookin's turkeys and brought them there to be cooked. Six years later he was "solemnly cautioned" by the Overseers "of enterteyning any of the students in his house, frequenting the Colledges, or drawing them otherwise into his company." Nothing daunted, he continued to ply a risky but highly lucrative traffic with his young friends. President Mather complained that he "put them to unnecessary expences at the cost of their Parents"; and there is evidence that when they were short of cash he was not above "receiving and taking their apparell."

Gibson's operations, in course of time, reached an astonishing pitch of magnitude and effrontery. He "frequented the college" so boldly that he actually arranged turkey suppers in the students' rooms, and brought with him a band of choice spirits to enliven the evening. In 1685 the Corporation sued him again, alleging that he and his crew "were accustomed to play the Rake in college more than formerly, some of them staying there the whole night. Last winter their custom was to meet together night after night, also to drive a trade of stealing turkeys, Geese, and other fowl until they had so cloyed themselves that they left them stinking in some of the chambers and studies of the students before they could get them dressed." He was again fined by the

lower court, but appealed on technicalities. Both sides pleaded their own cases, and shocking as it may be to the moral sensibilities, Gibson won! Discouraged by such an untoward result, the College seems to have given up the struggle; and the crafty Samuel, for aught known to the contrary, continued his nefarious practices until effectually restrained by the final decree of Death. From his story we gather a strange conception of the college discipline of those days — and a very poor opinion of the professional logicians and rhetoricians when confronted, in a practical argument, by the mother-wit of a simple yeoman.¹

Many other characters must have been familiar to the College in those uncouth and primitive times, but we have little record of them; doubtless because, unless forced to the front by public proceedings like the above, they made no particular impression on a society where, as already hinted, everyone was more or less “pecool’ar.” For a long time Harvard seems to have suffered from sharp practitioners of the same stamp as Gibson, and from the same inexplicable laxness governing their relations with the students, especially their use of the students’ rooms. Certainly up to the Revolution the college laws contained a standing fine of 1s. 6d.

¹ See Paige, *History of Cambridge*, 225n., 558; *Colonial Soc. Transactions*, iii, 455, 467, viii, 27; original documents in files of Supreme Judicial Court, Boston.

for "lodging strangers without leave," and the same sum for "entertaining persons of ill character." The offence, seemingly, was neither uncommon nor particularly serious, since the fines for profanity, card-playing, etc., were considerably greater. Imagine an ingenious undergrad of to-day summoned before the Dean on a charge, let us say, of sharing his room with a professional bootlegger, and, relying on precedent, offering to compound the matter for twenty-five cents!

By the beginning of the eighteenth century the outside catering for the scholars began to be taken over, on a somewhat more legitimate basis, by Jonathan Hastings, who lived on the present Massachusetts Avenue opposite the end of the Common. At any rate we hear of fat geese roasted at his fire for students' suppers, which were now accompanied by the efforts of a poet, a toastmaster, and other rudimentary appendages of the modern banquet. Mr. Hastings also "accommodated" by letting horses to the collegians. It is to be hoped that he always succeeded in collecting the hire; but there is some question, for he was as much noted for the slowness and softness of his wits as for the lankiness and awkwardness of his person — being, in short, as a friend euphoniously described him, "no conjuror."

One peculiarity of his deserves more than a passing mention. He had somewhere adopted or invented the

word *yan-kee*, which he applied as an intensive; for example, *a yan-kee fast hoss*. The term was so constantly in his mouth that (about 1715) he became known to the whole College as Yankee Jon. Home-going students spread this word through New England, using it in the same half-derogatory sense in which it was applied to its ungainly author — as Yankee tricks, Yankee notions, etc. Students of our national folk-songs will recall that even “Yankee Doodle” displayed a decided simplicity and gawkinsness — that he was indeed the laughing-stock of the British forces during the Revolution. But “Yankee,” thus thrown in the teeth of the Americans as a term of opprobrium, was accepted and caught up by them as a battle-cry. There is no need to tell of its triumphant emergence as the synonym, first of New Englanders, and later of the whole nation; or of its extraordinary vitality, last shown in the World War, when in spite of all attempts at substitutes this old canting term represented us throughout Europe. Surely no catchword of an almost forgotten Harvard character has ever had a more remarkable career. In this day of monuments and memorials, why should not a tablet mark the site where dwelt the man who put *Yankee* into the dictionary? ¹

¹ See W. Gordon, *History of the American Revolution* (1788), i, 481; Hall, *College Words and Customs* (1856), 505. In the same way, the students

In Mr. Hastings's time, also, the caprices of the University's working-force began to attract public notice. At least one member of the staff achieved international fame. This was Matthew Abdy, — or Abbey, — the "sweeper and bed-maker." He was the son of a Boston Harbor fisherman, and during his prime followed the same apostolic calling. But in 1718, having weathered the storms of threescore years and more, he was raised to the rank of sweeper "upon probation" — apparently with the understanding that he should be confirmed in office when his age should warrant it. He was assigned the care, singlehanded, of "Stoughton House and the President's House." Being childless, though thrice wed, he was of course christened "Father" Abdy. He was noted for his diminutive size, perhaps almost dwarfish,

So small of Stature that beyond all Doubt
Death used his Spectacles to find him out, —

and for the true nautical *bonhomie* with which he broke his shafts of wit with all comers, especially when he was in liquor, his normal condition — but who has a better right than a fisherman bed-maker to have "three sheets in the wind"? By what other personal attractions he rose to popularity we are not advised; but clearly this at the English Cambridge circulated their joke about "Hobson's choice," and established it as a permanent figure of speech. According to Dr. Belknap, Jonathan was much aggrieved at his sobriquet. *Mass. Hist. Soc. Proceedings*, xiv, 94.

wizened, groggy little octogenarian came to be in a few years one of the best-known figures of the University.

His death in 1730 was an event of such general interest that it drew forth a whole galaxy of humorous verse. Some of these productions were distinctly clever, even by present standards. One, an anonymous "Epitaph," made a neat double-barrelled hit at his ignorance and his intemperance:

'T is true indeed he could not read;
He lived not by the *letter*,
Because he found while on this ground
The *spirit* was much better.

Another, an "Elegy," might almost have emanated from the Villa at Twickenham. After extolling his campaigns against dust and cobwebs, the writer proceeds, —

But cruel Death, less Cleanly and less Kind,
Swept off his Soul and left the Dust behind.
Now hills of Grief in every Chamber grow,
And rising Dirt proclaims our rising Woe.

Others of these mortuary effusions were of less merit. The feeblest of all was "Father Abbey's Will," ascribed to John Seccombe of the class of 1728.¹ The opening lines give the measure of the whole:

¹ Seccombe seems to have perpetrated other poetical atrocities, also much admired. See Hall, *College Words and Customs*, 505.



Father Abbey's Will.

To which is now added, A Letter of Courtesy to his virtuous and amiable Widow.

CAMBRIDGE December, 1731.

Some Time since died here Mr. *Matthew Allen*, in a very advanced Age: He had for a great Number of Years leav'd the College in Quality of Bed-maker and Sweeper: Having no Child, his Wife inherits his whole Estate, which he bequeath'd to her by his last Will and Testament, as follows, *viz.*

TO my dear Wife,
My Joy and Life,
I freely now do give her,
My whole Estate,
With all my Plate,
Being just about to leave her.
My Tub of Soap,
A long Can Rope,
A Frying Pan and Kettle,
An Alms Pail,
A thrrelling Flail,
An Iron Wedge and Beetle,

An old Black Muff,
Some Garden Stuff,
A Quantity of Burrage,
Some Devil's Weed,
And Burdock Seed,
To season well your Porridge.
A chafing Dish,
With one Salt Fish,
If I am not mistaken,
A Leg of Pork,
A broken Fork,
And half a Finch of Bacon.

Before the News
Of your dear Spouse
Had reach'd us at *New Haven*,
My dear Wife dy'd,
Who was my ~~Wife~~
In *Anna* Eighty seven.
Thus being free,
Let's both agree
To join our Hands, for I do
Boldly aver
A Widower
Is fittest for a Widow.

UPPER PORTION OF A BROADSIDE

To my dear wife,
My joy and life,
I freely now do give her
My whole estate
With all my plate,
Being just about to leave her.

My tub of soap,
A long cart-rope,
A frying-pan and kettle,
An ashes pail,
A threshing flail,
An iron wedge and beetle.

To-day such doggerel is interesting only as giving a useful inventory of an ordinary small household of the time, and as showing the sort of thing that could be fobbed off for wit on a public satiated with the Assembly Catechism and Bishop Bull's Sermons. Nevertheless (and this is the monstrous part of it), wretched as the stuff was, by some inscrutable perversion of popular taste, it outdistanced all its competitors, and swept through the country amid a roar of laughter and applause. It was copied and recopied by hand, and printed and reprinted in penny broadsides, of which at least four editions survive. It was forwarded to England by Governor Belcher himself, was published in the London magazines, and hailed with delight in court, camp, and cottage. It crossed the water again, and appeared with undiminished success in the "Massachusetts Magazine" as late as 1794. Up to a few generations ago it was

known by heart to half New England. It still remains a classic example — save the mark! — of early American comic verse. And through this unworthy tribute, by the glimmer of this veritable rushlight of the Muses, the old Harvard bed-maker has attained a flickering sort of immortality. Still, the tribute may not have been so inappropriate after all. John's verses were probably quite as good as Matthew's sweeping.¹

The Widow Abdy, we may say, succeeded to her husband's post, and swept on through the corridors of Time until 1762, when she expired at the sprightly age of ninety-three. She too appears to have been a striking feature of the collegiate landscape, for her obituary describes her as "well known to all who have had an Education here within the present Century."² During her last years she had the doubtful benefit of a coadjutor, whose habits fully maintained the standard then apparently expected of the college "help." All that we know of him is from a single entry in the diary of Jeremy Belknap of the class of 1762:

¹ See collection of pamphlets and broadsides on him, in Widener Library, "H. U. 280.11"; *Cambridge Chronicle*, April 28, 1855 and June 13, 1874; Paige, *History of Cambridge*, 399 n., 477; Hall, *College Words and Customs*, 486; *Harv. Grad. Mag.*, xviii, 797, etc. As a young man, he was a soldier from Cambridge in King Philip's War. The Diary of Tutor Flynt from 1725 to 1730 often mentions such payments to him as "3 sh. for washing a groce of Bottles" — "5 sh. for [Josiah] Quincy's two quarter bills for sweeping," etc.

² *Boston Evening Post*, Dec. 13, 1762.

1760, Mar. 15. Mr. Daniel Barrett Sweeper and Bedmaker to the College, died, his Inwards being almost Consumed with Drinking RUM, his summum bonum.

Danl Barrett's epitaph

Under this Stone there lies the Trunk
Of one who lived & died Drunk.

J. WARREN.¹

Thus he flashes across the screen, yet leaving behind him a profile as imperishable as the Old Man of the Mountain. Consider for what budding Revolutionary patriots, for what incipient sages and heroes on Harvard's scroll, his alcoholically tremulous hands shook up the feathers in the bolsters, filled the chambers with futile dust-clouds, and furtively decanted the jugs of Best Old Medford. His page in the considerable anthology of what may be termed *vers de balai* is indeed brief, but of a rugged pith and memorability worthy of its distinguished author. His widow followed the precedents by taking up his besom when he laid it down, and continued a senile pretence of hostility against spiders and roaches until transferred by common consent to the almshouse, where she died in 1794.²

Meanwhile other reinforcements had been added to the Household Brigade. Sometimes their names and a

¹ Interleaved almanac at Massachusetts Historical Society. Barrett was originally a carpenter, but is mentioned as Sweeper in 1753. Paige, *History of Cambridge*, 484. See also *Harv. Register* (1827), 284.

² Aged 84. Paige, *ibid.*

hint of their personalities have been preserved in the records. When Stoughton and the President's house were committed to Father Abdy, it was agreed that "Harvard College" (that is, the first Harvard Hall) should be "continued to Mary Prentice,¹ and the Establishment for the Bed-maker is to be paid to them accordingly." Up to that date, we infer, one *femme de chambre* was considered enough for the whole institution. In the year of the Declaration of Independence "the estate of the late Sarah Wedland" was paid 17s. 4d. "for cleaning the College Hall & out Houses"; and "Widow Morse" was gazetted "to be Sweeper of Hollis & the South Half of the College House, provided she be able constantly to attend the Duty herself."² In the last clause we detect the same old note of distrust of the candidate's professional qualifications. Sweeping, it would seem, was formerly reckoned an art not possessed by all, and when possessed, exercised with the true artist's fitfulness and temperamentalism.

Like her predecessors, Mrs. Morse apparently found her duties no bar to what may fairly be called excessive

¹ Probably the widow of Thomas Prentice, a brickmaker who lived opposite the present Botanic Garden, and died in 1709. She died in 1760, aged 84, having buried two more husbands with perfect equanimity; for her tombstone (still standing in the Cambridge graveyard) records that she was "not impatient of Life, but satisfied with it." Paige, *History of Cambridge*, 630.

² Faculty Records, June 25 and Aug. 10, 1776.

longevity. Like them, too, she was careful to keep the business in the family; and when at last she relinquished her position (perhaps choked with her own dust), she bequeathed it to her daughter Katharine, a leathery maiden of uncounted summers. This chaste priestess of the broom and bucket also enjoyed a long reign and great popularity. Chamber-work at Harvard, it will be noted, has frequently carried with it the somewhat fantastic perquisite of being enshrined in garlands of poesy; and the virtues — for we dare not say the pulchritude — of this incumbent were more than once the inspiration of the undergraduate bard. She figures for example in the great comic poem, “The Rebelliad” (1819), being succinctly described in the *dramatis personæ* as “Goody, or Goody Muse, Miss Morse, the daughter of her mother.” The author, with a touch of fancy happier in design than in execution, thus invokes her at the beginning of his labors:

Old Goody Muse! on thee I call
 Pro more (as do poets all)
To string thy fiddle, wax thy bow,
 And scrape a ditty, jig, or so.
Now don't wax wrathful, but excuse
 My calling you old Goody Muse;
Because “Old Goody” is a name
 Applied to every College dame.

Miss Morse, who survived till 1835, was probably the last distinctive type of the old régime. In her latter

days she seems to have been regarded with a good deal of respect, perhaps not unmixed with pity; for her demise was celebrated by B. D. Winslow of '35 in a poem much more serious in tone than most of its kind.

For forty weary years or more
She trod these classic shades. . . .

Yes! she who many a bed hath made
In years forever past,
With decent rites at length is laid
To sleep upon her last.¹

The attentive reader must have observed that the most universal attribute of the early personnel appears to have been extreme senility; the next, extreme intemperance. Making every allowance, the deduction remains that the students' rooms, committed to such caretakers, were not precisely models of sanitary neatness. And the conclusion is only too well borne out by what is known of the standard of cleanliness in other domestic departments of the University. It is but honest to add that no false notions were held about the value of such services. The regular charge for the sweeper was but 2s. 6d. per quarter, which sum was not

¹ *Harvardiana*, i, 233. A foot-note in *The Rebelliad* gives the following pen-picture, supposed to be a translation from Ossian, then very popular: "Goody Morse, the daughter of her mother, stood before him; a besom graced her hand; a sweet blush was on her rhubarb-colored cheeks; her eyes sparkled like moonbeams in a mud-puddle; she took snuff; she wiped her nose —"



IDEALIZED PORTRAIT OF MISS MORSE



CLARY, ABOUT 1860

paid as wages by the College but was added to each student's term-bill as an extra. It seemingly follows that the poorer scholars had no sweeper at all — and were probably quite as well off.

Bed-making and sweeping were the only "paid jobs." The minor tasks of the modern janitor, and the laborious hewing of wood and drawing of water, now superseded by modern conveniences, fell upon the freshmen. By the ancient (and highly economical) custom of "fagging," the unfortunate neophytes were called upon for every variety of menial toil, from cutting the President's hay to beating the one carpet the College possessed, a treasured ornament of the library-chamber.¹ Especially were they compelled to minister to the numerous wants of the upper-classmen. An elaborate code, almost Draconian in its severity, was gradually evolved for their guidance, in successive revisions of the "College Customs," which were read in chapel at the beginning of every year. Errands were to be run, boots cleaned, fires tended, and even footballs and other sporting goods provided, at the beck and call of their overlords.² With

¹ "The floor of the library is covered with a rich carpet . . . for which . . . we are indebted to the munificence of His Excellency Governor Hancock." (Description of Harvard Hall, in *Massachusetts Magazine*, ii, 323.) A wealthy freshman from the West Indies, in 1790, refusing his bounden duty and service, declined to give the annual "shaking" to this precious object, and was incontinently expelled from college. (*Harr, Magazine*, x, 122.)

² Up to 1861 the freshmen, by subscription, actually continued the "custom" of "furnishing bats, balls, and footballs" for the rest of the college. *Ibid.*

the shift in public sentiment that came in with the Revolution, however, the new spirit of freedom soon asserted itself among the undergraduates; "freshman servitude" fell into disrepute, and with increasing prosperity, the students began to imitate the English system of employing outside men or boys for their chores. The Faculty, as usual, resisted all idea of change,¹ but by the beginning of the new century the new order had established itself, and the genus "scout" was developed.

Following the lead of the original "Moor," the scouts were oftenest gentlemen of color, soft-spoken and smiling genii of the lamp (and boots), who also beneficently controlled — for a small consideration — the elements of fire and water in their masters' domains.² One of the most noted of them was Charles Lenox, who flourished in the eighteen-twenties, and was known, perhaps from his dignified mien, as "Dr. Charles." From his name one would never imagine that he was an African; nor did he exhibit the usual qualities of his race. He first came into notice as a peripatetic vender of pies and cakes; but his deftness and reliability soon transformed him into the collegians' favorite valet. By his industry in collecting the flotsam and jetsam of the dormitories, from old boots to cigar-stumps, and by his frugality in

¹ Formally prohibited in 1786. Quincy, *Hist. Harv. Univ.*, ii, 277. See also Hall, *College Words and Customs* (1856), 213.

² See *Harv. Grad. Mag.*, xvii, 615.

preserving his tips, he accumulated a snug property; indeed, he was reputed to be the richest negro in Massachusetts.¹ Moreover, with a conscientious recognition of the sources of his wealth, he was always ready to place his funds at the disposal of the College. Many a hard-up student gratefully repaid at a later day a "small loan" from Dr. Charles; and the story goes that more than one professor in temporary financial difficulties was not too proud to grasp the helping hand of his dark-skinned brother in the educational vineyard.²

For nearly a century the system of scouts was continued, each well-to-do student employing his own. By degrees the number of such unofficial hangers-on grew intolerable, and in 1879 they were superseded by regular janitors.³

The commercial rôle in which Dr. Charles at first appeared is an example of another "side line" of University business which has produced many a character of purest ray serene. Doubtless even before the day of the enterprising Gibson, the Yard was infested with hawkers of light academic refreshment; and Simon, whether simple or learned, often met a pieman ready for his penny; but in 1800 the closing of the college buttery, where fruit and fancy groceries were sold for the special

¹ *Reminiscences of Edward Everett*, in *Old and New*, iv, 22.

² *Life of John Warren*, 320; *The Rebelliad*, 54.

³ *Harv. Register*, i, 21.

convenience of the students, greatly stimulated the itinerant vending of such articles. This ambulatory trade may be said to have culminated with the "night lunch cart" which, a quarter of a century ago, used to rumble into the Square every evening to dispense "hot dogs" and similar dainties to all the nocturnal life of the College. Before that time such ambrosial delights were supplied by a succession of peddlers — elderly Gany-medes who, like the withered Hebes of the mop and pail, made up for any prosaic deficiencies by a superabundance of temperament and personality.

Dr. Charles was followed by William Emmons, whose specialty was an insidious beverage, now lost to science, denominated egg pop, whence he received his sobriquet of "Pop" Emmons. From his scholastic surroundings he seems to have absorbed the true professorial facility of orotund speech, and was ready on a moment's notice to launch into a sonorous harangue. Some of his addresses on standard topics were so much in request that he actually had them printed and added them to his stock-in-trade.

Such unusual intellectual attainments met with equally unusual recognition. Mr. Emmons is the only representative of his calling known to have been granted a full Latin honorary degree. Not, to be sure, of the exact variety bestowed on Commencement, but

for the edification of posterity (in the words of the politicians) "something equally as good." The age, we must remember, was one of classicism, when shop-keepers in the Square added tags of Latin to their signs, when the janitor of the Law School could quote you Virgil by the yard, and when that monstrous hybrid, a Latin-English pun, tickled the risibilities of Cambridge circles to the bursting-point. Under the same influence, some of the brightest gems of undergraduate wit were the mock degrees conferred on all the notables of the day, from the Tsar of Russia to the sea-serpent, by the "Med. Fac.," the society which was then the chief source of fun in the University. Our William, it appears, was also strong on the article of pickles, and hence received the following majestic testimonial:

GUGLIELMUS EMMONS, PRAENOMINATUS PICKLEIUS, QUI ORATOR ELOQUENTISSIMUS NOSTRÆ ÆTATIS, POMANUCES, PANEM-ZINGIBERIS [gingerbread], SUAS ORATIONES, EGG-POPQUE VENDIT. D.M. MED. FAC. HONORARIUS.¹

Of about the same vintage was Lewis, "a grave and amiable Ethiopian," who will live in fame as an object of the youthful veneration of James Russell Lowell. Lewis sold home-brewed beer; yet he would not have incurred the frown of the strictest temperance advocate,

¹ *Harvard Book*, i, 70; *Med. Fac. Catalogue* (1827).

for he had but two varieties, spruce and ginger. He wheeled his whole stock in a white-roofed hand-cart, ornamented with a sign which displayed two bottles obligingly discharging themselves into tumblers. "The artist," says the author of the "Biglow Papers," "had struggled manfully with the difficulties of his subject, but had not succeeded so well that we boys did not often debate in which of the twin bottles Spruce was typified, and in which Ginger." Lewis himself, though, was believed to be able privately to distinguish between them by long and intimate study. The actual flavor of the respective potations seems to have been equally indeterminate; but the customer, while quaffing the cup that distends but not inebriates, was at any rate soothed by the most unmistakable and gratifying courtesy, three *sirs* to every glass — *Beer, Sir? Yes, Sir. Spruce or ginger, Sir?* "I can yet recall," avers Lowell, "the innocent pride with which I walked away after that somewhat risky ceremony (for a bottle sometimes blew up), dilated not alone with carbonic-acid gas, but with the more ethereal fixed air of that titular flattery."¹

Next perhaps on the roll comes "Jimmy" O'Neil. Born in County Cork in 1794, he emigrated to this country in middle life. After trying his luck all over New England, he found his most remunerative stand at

¹ "Fireside Travels: Cambridge Thirty Years Ago." Originally published in *Putnam's Monthly* for April, 1854.

Harvard, where he peddled his uninviting wares from 1843 to his death in 1861.

If Pop's leading card was eloquence, Jimmy's was pathos. His pathetic basket contained (besides a few boxes of incombustible matches) little but candy, and that of such an aged, dusty, and indigestible look as to excite only commiseration, and to extort the pennies of charity rather than of ordinary commerce. He was noted for his low opinion of freshmen, often declaring, with undoubted truth, that at least a year's residence at Cambridge was necessary to appreciate the quality of his merchandise. Pathetic too was his domestic history, his wife and two boys having died in succession, leaving him heart-broken and utterly alone. Most pathetic of all was his appearance — a bent, tattered, wrecked old man, hardly less thin than his own sticks of candy, who shivered in winter beneath a threadbare, flapping blue cloak, and feebly chafed his hands almost as blue. Those who heard it could never forget the trembling voice with which he delivered his invariable greeting, "Here's Jimmy!"¹

Assuredly we cannot leave this branch of our subject without a word of eulogy for the successor of these early purveyors, that prince of all Harvard characters, John Lovett—"John the Orangeman." A native of County

¹ *Harv. Magazine*, ii, 399, vii, 147, 240 (1860); *Harv. Grad. Mag.*, xxiii, 69.

Kerry, he arrived in Boston at about the age of twenty, and was associated with the College for a full half-century. Thus his famous introductory observation to all freshmen, "I knew y'r father, fri'nd," had every probability on its side. It may have been his immortal translation of the University motto, *Veritas*, as "Ter hell wid Yale!" that secured for him, late in the eighties, the responsible post of mascot at all athletic contests, and made him an *ex-officio* member of every Harvard team, whether at the home grounds or on tour. Through his travels in that capacity he became a really national figure. In his last years, with little cart and donkey, he was the uncrowned monarch of Yard and Field, everywhere acclaimed with a devotion that poets and statesmen might have envied. He died in 1906. In him the type rose to its perfect apotheosis — and expired. To-day we look about us mournfully, and ask, by a Hibernianism which he would have been the first to appreciate, "Was John the Orangeman the Last of the Mohegans?"¹

Our survey of oddities would be incomplete did it fail to mention an erratic and rather tragic group, possible only in a university town — the "resident graduates." From very early times a sort of collegiate courtesy per-

¹ See R. W. Wood ('91), *The Story of John the Orangeman, by One of his "Frinds."* Also sketch by H. A. Bellows ('06) in *Harv. Grad. Mag.*, xv, 228; other references, *ibid.*, 190, 346, etc.



JOHN THE ORANGEMAN, ABOUT 1890

mitted a man, after receiving his A.B. (and even his meaningless A.M.), to continue to occupy his chamber and a seat at Commons with the tutors, apparently on the theory that he was studying for a higher degree, or perhaps engaged in some recondite researches for the advancement of learning. In reality, such men were the college failures — incompetents who under the modern system of examinations would never have been allowed to graduate at all; bits of educational wreckage “who had become water-logged on their life-voyage, preachers who could not find willing hearers, men lingering on the threshold of professions for which they had neither the courage nor the capacity.”¹ For these timorous navigators the College offered at least a dignified and inexpensive haven of refuge.² Almost always impecunious, frequently lacking as much in social as in intellectual gifts, living a cramped and abortive life, they developed all the quirks that might have been expected, and contributed to the atmosphere of the Yard an outlandish flavor all their own.

¹ Peabody, *Harvard Reminiscences*, 211. Samuel Dexter graduated in 1720, and thereupon expressed his desire “to be Improv’d in Business, & not to live Idly, [as] some Schollars do, without being Improv’d.” Colonial Society of Massachusetts, *Transactions*, xviii, 316.

² An alumnus of very different calibre, Hon. James J. Myers, A.B. 1869, LL.B. 1872, the distinguished lawyer and sometime speaker of the Massachusetts House of Representatives, who lived continuously in Wadsworth House until his death in 1915, seems to have been the last graduate to whom this ancient courtesy was extended.

One of the last and most notable specimens of this species was Jonathan Peale Dabney, who received his A.B. in 1811. For many years, along with other members of his forlorn fraternity, he inhabited a cockloft in the old College House (now demolished), nursing the grievance that in some unspecified way the University "owed him a living." In time the idea completely soured a disposition naturally none of the sweetest. Clad in antiquated garments, he went about with a perpetual frown. A few pamphlets he published are perfect paradigms of a cantankerous spirit. The tale is yet told how he would frequent the reading-room, arriving early enough to secure the most comfortable chair and to gather in all the morning papers, each of which (after deliberately removing his cowhide boots) he would peruse in turn, making sure of the rest by the simple process of sitting on them. When particularly hard up, he would avail himself of the graduate's ancient privilege of attending Commons, where he employed much the same tactics. It was one of these forays that formed the basis of Oliver Wendell Holmes's early *jeu d'esprit*, "The Mysterious Visitor."

He was a dark and swarthy man
That uninvited guest;
A faded coat of bottle green
Was buttoned round his chest.

.

Then from his nearest neighbor's side
A knife and fork he drew;
And, reaching out his hand again,
He took his teacup too.

A long, long draught, — an outstretched hand, —
And crackers, toast, and tea,
They vanished from the stranger's touch
Like dew upon the sea.

But human nature is an eternal paradox: this crabbed misanthrope survives to-day on musty library shelves as the compiler of a book of family prayers, and of a "Selection of Hymns and Psalms," which ran through several editions! The incongruity did not escape the keen eye of undergraduate cynicism; and the "Med. Fac.," ever on the watch for absurdities, bestowed upon him the following "degree":

JONATHAN-PEALE DABNEY, MR. QUI LIBRUM PSALMORUM HYMNORUMQUE, 1820; EJUSDEM EDITIONEM SEPTIMAM, 1827; NECNON PRECUM LIBELLUM, 1825, EMISIT. D.M. MED. FAC., HONORARIUS. STEW. PATQUE [Steward and Patron], 1829.¹

About the middle of the last century another class of character began to steal unostentatiously into the col-

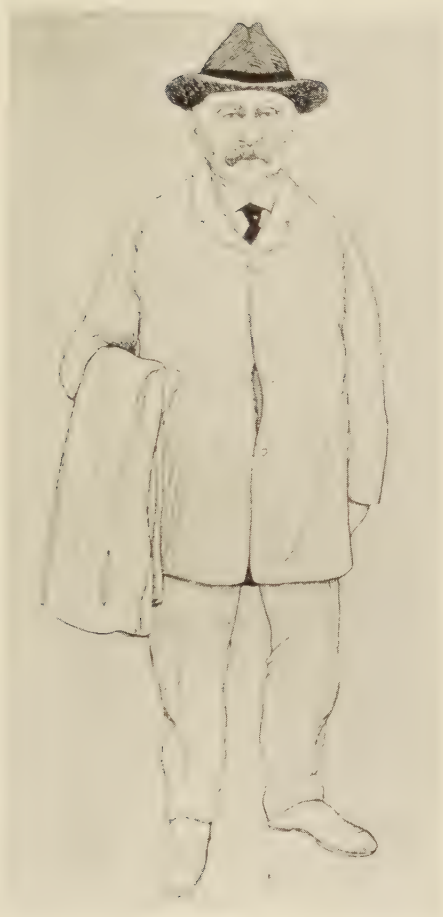
¹ This is the final shape of the degree as it appears in the Med. Fac. Catalogue of 1833. Dabney must have been a figure of fun long before he turned author, for he received a simple "honorarius" in 1820, being in fact one of the first targets of this form of student satire.

For most of the above description I am indebted to Dr. Henry P. Walcott, of the class of 1858.

lege circle — not so lovable as the rest, but not without an occasional warm welcome. We refer to the Old Clo' Man, attracted to the field of University labors by the increasing number of well-provided and easy-going students who in spite of "great expectations" occasionally find themselves short of ready cash. He has always been known, through a long line of operators, by the generic title of "Poco." His philanthropic activities, especially in the negotiation of unsecured loans, are too well-known to particularize, as is the mass of folk-lore and ballads of which he is the hero and superman. In one respect only does he display an almost childish inability to grasp the great facts of existence: his estimate of the value of male habiliments is invariably far under their true worth. It was once said of him that, if he cast his eye upon a suit of clothes, and like Melancholy marked it for his own, the marking always attained a figure ruinously low. There is a legend that Mr. Levi, one of the best-remembered representatives of the tribe, did so far forget himself as to pay five dollars for a dress suit whose owner died before putting it on; but it is understood that the fraternity of to-day utterly refuses to admit the precedent.¹

There may be interest in noting that the term Poco, now in use (as we suppose) wherever the bifurcated por-

¹ *Harv. Grad. Mag.*, ix, 613, xvii, 617, xxiii, 69.



"POCO"

tion of the human race has "fine pantings" to dispose of cheap for cash, was strictly of Harvard origin. About the year 1850 two diminutive Dutchmen, the brothers De Yong, were wont to haunt the rooms of the undergraduates, offering pipes, mantel ornaments, and knick-knacks in exchange for cast-off raiment — the primitive simplicity of such barter apparently marking the inception of this branch of human endeavor in Cambridge. As Italian was then a popular study, Arthur Dexter of '51 applied to the smaller of the brethren the adjective *poco* (little) and the casual nickname has stuck ever since.¹

While on the subject of nomenclature, let us return for a moment to the other generic title of "goody." This shortening of "good-wife" is of course sound old English for any ancient dame of humble station. Doubtless all female servants of the College were thus addressed in olden times, as witness the invocation to Goody Morse already quoted. But as the daily tasks fell more and more into masculine hands, the term narrowed down to the chambermaids, the last group of the fair sex remaining.² With this specialized connotation it has descended to the present. Like the use of the word "Yard" (for

¹ S. A. Green, '51, in *Harv. Grad. Mag.*, xi, 344.

² In this matter also, Harvard, after some early fluctuations, has settled into the usage of Cambridge University, where the "bedder" is always of the feminine gender.

campus) it is peculiar to Harvard. The preservation of such racy old turns of the mother tongue not only adds to the local color, but gives indirect evidence of the antiquity, of the institution.

Moreover, as the College grew and the number of goodies increased, an embellishment of the original term appeared, this time in true schoolmen's Latin. The leading (scrub) lady of the troupe was dubbed, with equal elegance and gallantry, *Regina Bonarum*, or Queen of the Goodies. Sophomoric wit delighted to play about this august personage. A halo of mystery enveloped her location and orbit. Like the morning star, she was declared to be visible only in that chill hour when the rising-bell proclaims the truth of the dark saying — many are called, but few get up. As a matter of unromantic fact, she had her official headquarters for many years in the abandoned railway station (on the site of Austin Hall), finally taken over in 1865 for the popular eating club known as "Thayer Commons," from which developed "Memorial." Naturally having much experience in domestic management through her regular duties, she was appointed superintendent of the new enterprise, and contributed not a little to its phenomenal success.¹

In our chronological advance we have now reached a

¹ See *Harv. Grad. Mag.*, xxiii, 69; *Harvard Book*, ii, 115; *ante*, p. 152.



A CONSISTORY OF GOODIES, ABOUT 1865

period when by reason of the size of the College, its multifold activities, and the increased interest in observing and recording its phenomena, we are actually embarrassed by the richness of our material. Space does not permit us even to enumerate all those erratic geniuses who, though now gone to their reward, still linger in living memory. We can only hold up a jewel here and there that flashed in the light of other days.

There was George Smythe, keeper of the boat-house and confidant of all rowing men; so that when he afterwards joined the Cambridge police he was accustomed on Commencement Day to slap the returning alumnus on the back, whether bishop, judge, or ambassador, and accost each as "Jack," "Bill," or "Fatty," to the bewilderment of all beholders.¹

There was the taciturn and inexorable Jones, a chronometer on two legs, trudging through the cosmos insensible to space, matter, motion, weight, relativity, or any other of its elements except time; who in more than half a century's ringing of the college bell never deviated the fraction of a second from the hour appointed.²

There was Daniel Pratt, the Great American Traveler, in battered silk hat and customary suit of solemn

¹ Died 1909. *Harv. Grad. Mag.*, xvii, 575, 616.

² *Ibid.*, xii, 705 (portrait), xvii, 205, xxiii, 68, etc.

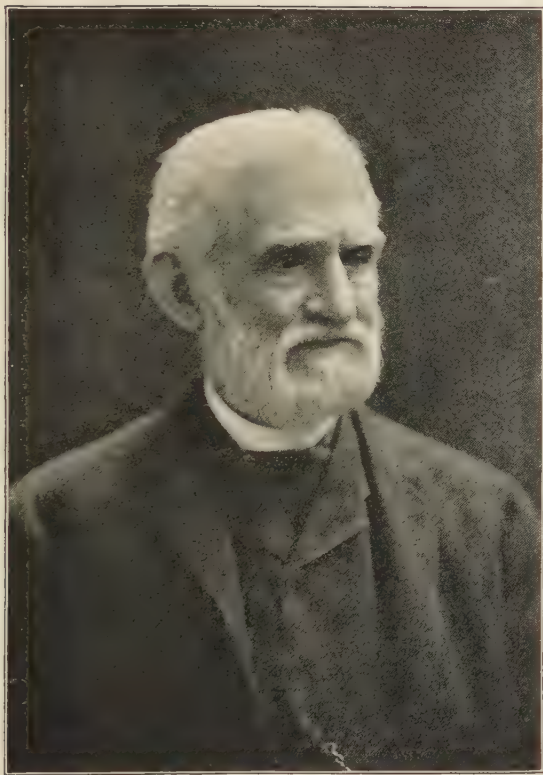
black, whose harmless obsession it was to wander from one college to another, recounting his stupendous adventures wherever he could collect a knot of reasonably remunerative listeners; and the poor demented lady who handed out pamphlets warning one of Russian spies (those were the days of the Nihilists) so malign and ubiquitous that they concealed themselves in the very walls of the dormitories.

There was Clary, the darkey janitor and factotum of the laboratory in Boylston Hall. And here one is compelled to quote F. W. Hackett of '61:

Note where the unflinching Clary stands, amid all the congregation of salts and acids. The arcana of solutions and precipitates (some of which work and some don't), the furious bubblings, and the clouds of noxious gases pale not his dusky cheek. Nay, even though the experiment be at once the most unintelligible and the most hazardous known to science, Clary goes ahead, pumping and emptying and mixing, as serene as if he were the holder of a paid-up policy in a first-class insurance company. The best authenticated apotheosis of Clary, as I recall it, assigned him a station (with a background of blazing strontium) at the right hand of Boyle — him, I mean, renowned as the Father of Chemistry and brother of the Earl of Cork.¹

There was John Ryan of the "Holly Tree Inn," that grubby prototype of the quick-lunch parlors, — John, red-headed and red-shirted, whose marvellous dropped eggs on toast still linger ethereally on the gustatory nerve, — John, "conscientiously swabbing his oilcloth-

¹ "Worthies Who Helped Harvard Along," *Harv. Grad. Mag.*, xxiii, 69.



"MR. JONES THE BELL-RINGER"

covered tables with a dishclout which (except that it lacked the conventional skull and cross-bones) might have flown from the masthead of a pirate ship,"¹ — John, sung by the early-lamented Lloyd McKim Garrison in one of his most charming "Ballads of Harvard":

But as long as the coffee's first-class
Want of linen shan't make us rebel;
And John, in his shirtsleeves, may pass
If he'll poach us our eggs just as well.
We will pardon the dirt and the smell
If the toast be well-buttered and thin,
For nobody cares to be "swell"
When he goes to the Holly Tree Inn.

There was "Herbie" Foster at the corner of Holyoke Street, with bristling white moustache, eye-glasses on a bit of pink string, and superannuated straw hat (which was so much a part of him, winter and summer, that he was generally supposed to sleep in it), imperturbably shaking up (soft) drinks at his soda-fountain, or explaining that his ham sandwiches, of which he sold an incredible number of dozens every day, were so good because they were all made by his old mother.

There was O. G. Fosdick, affectionately known to thousands only by his title of "Cap," the conductor of the "night car" that hourly jingled out from Bowdoin Square, Boston, filled with belated devotees of pleasure.

¹ From a delightful article — unfortunately anonymous — on "Harvard Old-Timers," several times quoted above. *Harv. Grad. Mag.*, xvii, 616.

How considerate with the drunks was Cap; how obliging if the last nickel had gone for a "musty" at Billy Park's; how tolerant of "close harmony" and "rough house" among his fares; and how unfailingly, after calling the streets all the way out, would he once again slide back the door when the car reached the Yard entrance now marked by the McKean Gate, and arouse the soundest sleepers with his cheerfully stentorian "Good morning, gents! Sports' Alley!"

There was — but let each old grad pick his favorite from that gallery of pleasant eccentricity.¹

Now all are gone. And the ancient alumnus wanders disconsolately through the tawdry commercialism of the Square and the trim conventionality of the Yard — now minus even that inanimate character, the Pump — and murmurs to himself (being a little rusty on his French), "Other times, other manners." The new Harvard seems but a poor drab place, bereft of the sparkle of its former whimsical contrasts and mild Bohemianism, and with so little individuality that you cannot tell a dun from a dean. What the University needs, he ruminates, is a fresh lot of "characters." Cannot a fund be started — they are always starting funds now-a-days

¹ Several of the foregoing characters (and others) are described and pictured in an article by N. C. Metcalf, '96, "Some Ghosts that Will Haunt Harvard's Old Grads," in the *Boston Evening Transcript* for June 15, 1922.



MR. FOSTER IN ACTION

— for the encouragement of picturesqueness in college life?

But as he sees the younger generation stare and whisper at him, upon his aged intellect, if he is sufficiently philosophical, a light may begin to dawn. A great truth, hard and unpalatable like most great truths, is slowly revealed to him. He remembers the story of the two elderly Oxford dons, of whom one remarked, “I wonder, my dear William, why we see no college characters to-day. In our time the place was full of them.”

“Ah, Thomas,” replied the other, “you forget. We don’t see them now because we are the college characters ourselves.”¹

¹ G. B. Hill, *Harvard College, by an Oxonian*, 77.

C. C. LANGDELL, ICONOCLAST

IX

C. C. LANGDELL, ICONOCLAST

AT the Harvard Law School in the late sixties things were going pretty comfortably. That great triumvirate, Parker, Parsons, and Washburn, were still the instructors. One of them lectured for a couple of hours every day. The list of textbooks they covered each half-year — some twenty-five or thirty in each course — was rather appalling to a conscientious student who tried to read them all. Very few tried, and fewer succeeded. The lectures were quite enough. Such of the students as attended them and did not read a newspaper meanwhile might hear in a pleasant, informal way the rule of law on almost any given point. Such of them as attended, or at any rate paid their term-bills, for eighteen months, received the LL.B. as a sort of reward of constancy.

To an occasionally expressed doubt of the actual legal ability represented by such a degree the answer was ready: "Can't you take the word of a gentleman that he has learned the law?" To the same effect was the weight of authority and respectable antiquity. There had been no advance since the dictum of Dr. Johnson, a hundred years before: —

That academical honours, or any others, should be conferred with exact proportion to merit, is more than human judgment or human integrity have given reason to expect. Perhaps degrees in universities cannot be better adjusted by any general rule than by the length of time passed in the publick profession of learning.¹

What matter if to the bulk of the legal profession these "graduates" were known as "Law School Pills"? What matter if the number of students, though fluctuating, had long averaged about one hundred and forty only? What if many of them were mere raw boys, with no college or other proper training for their work? What if the grotesque remains of the law library were little more than an open quarry, whence any visitor might purloin any volume he chose — provided he could find it? What if the new president's first visit to Dane Hall in 1869 was a nine days' wonder, almost an intrusion? Did not the fame of Story, Kent, and Greenleaf still give the School a national reputation? Had not Parsons also, and Washburn, made brilliant names as writers of textbooks — those foundations of all law? Were not the lean years of the School during the war safely passed? All in all, things were going pretty comfortably.

But comfortable days are fleeting, even in a law school. At the end of the decade Parsons, graceful

¹ *A Journey to the Western Islands of Scotland in 1773.* Works (ed. 1806), viii, 222.

lecturer, polished *littérateur*, full of years and honors, resigned. The chair founded forty years before by old Nathan Dane, whose desire for "the scientific study of the law" had been so well forgotten, now stood vacant. What distinguished jurist could worthily fill it? Curiosity battled with astonishment when it was announced that on January 6, 1870, the Corporation of the University, at the instance of President Eliot, had appointed Christopher Columbus Langdell to be Dane Professor of Law.

Who was he? Few could remember even the name. A searching of old college catalogues revealed it among the undergraduates in the sophomore class of 1848 and the junior class of 1849. Also he appeared to have been for three successive years, 1851-1854, in the senior class of the Law School, and its librarian. He had not received the A.B., but an LL.B. in 1853. He was said to have "a great deal of curious but well-nigh useless learning." He was unknown to the Boston bar, though it was understood he had practised in New York City. He had held no public station. He had made few friends in Cambridge. And he had published no textbooks!

His mates in the class which entered Phillips Exeter in 1845, however, could tell of him. He was then a typical country boy, sturdy, bashful, awkward. He had

been born May 22, 1826, in the low one-storeyed house of a small farm on the poorest soil of the town of New Boston, just west of Manchester, New Hampshire. From his father, John Langdell, he could trace through three generations of hard times on that farm, back to a great-grandfather who came to Beverly, Massachusetts, from the old country, bringing with him a bride from Londonderry.

His mother, Lydia Beard, was of the canny, hardy Scotch-Irish stock that bred our best New England blood. It was from her that the boy inherited his intellectual capacity and his indomitable ambition. Had she lived to mould and foster his genius, who can say to what heights he might have attained? But she died when he was only seven, leaving him to the care of a devoted elder sister. Three years later the poor home was entirely broken up, and young Christopher fell upon harder times than ever. From the age of ten the child, but one remove from a pauper, "lived out" with various kind-hearted neighbors for years, working on their farms "for his keep."

Yet through those dark hours he cherished a secret purpose, which gradually became a passionate obsession — he must get an education. Every winter he greedily devoured the scanty intellectual pabulum offered by the district school. It is related that he sawed wood with



CHRISTOPHER COLUMBUS LANGDELL

About 1870

one hand and held a book in the other. Every penny he could earn he laid by for his great object. His sister, fired with the same ambition, underwent incredible toil and privations to add to his funds. At last their combined pittances were just sufficient to get him into Exeter — the nearest good school he could find.

By this time he was noticeably older than most of his fellow students. He was noticeable also for his strong spectacles, of an unusual pattern — close study under the worst conditions having already overstrained his eyes. He was further remembered from the hard shifts to which he was reduced by his poverty. He shared a small garret with two other boys, up under the rafters of the humblest boarding-house in town. He swept the Academy floors, and, like Jared Sparks before him, he rang the Academy bell. He obtained help from a scholarship, or “went on the foundation.” The masters liked him, for when the spirit of mischief was abroad he stood for the honor and good name of the school. The boys liked him too, for he had a keen sense of fun and a big rousing laugh. He was elected a member of the famous old literary and debating society, the Golden Branch, and in 1847 became its president. Though a hard student he was not a brilliant one. He possessed, as he afterwards said of himself, “the virtues of a slow mind.” Yet in two years he had fitted for college —

which at Exeter of course meant Harvard — and by staying another twelvemonth in the advanced class had anticipated the studies of freshman year.

Entering Harvard, therefore, as a “fresh soph,” with studious habits, bad eyesight, and no means, he was little known in the class of ’51. Green, its marshal when it took part in the great parade to celebrate the “turning on” of Cochituate water in Boston, noticed Langdell’s absence from the march, and next day took him to task. “I preferred to study,” was the simple reply. A few, older than their years, appreciated his intellectual gifts and his personality, so charming when once his reserve was broken through. They used to engage him in long expositions and discussions, memorable in after life. For the most part, however, he lived alone in a room in Divinity Hall, perfecting his reasoning powers as quietly and as patiently as the diamond-cutter perfects one by one the facets on the gem that, completed, will dazzle the world.

Langdell’s undergraduate life was very brief. He entered in September of 1848, and by November of 1849, do what he would, his funds were gone. To replenish them, he had to leave for a year of teaching. At first he meant to return and continue his general education. But during that winter came the great decision: he would go at once into the law. In May of 1850

therefore he entered the office of Stickney and Tuck, of Exeter. Here he remained for eighteen months, with the triple object of learning office work, saving up his money, and preparing himself for the Harvard Law School.

Again he had anticipated the elementary work, and in November, 1851, he joined the School in the senior class. Parker, Parsons, and Greenleaf, then all recent appointees, were his professors. But his sternest master was poverty. As at Exeter, he had to work his passage. He obtained the position of student librarian, which gave him free lodgings in one of the small rooms on the upper floor of Dane Hall. He assisted Parsons to collect the material for his great work on contracts. Did he then plan, we may wonder, a greater work on contracts, by himself? Did he ever dream that he should one day take the chair of his instructor? Was it from pondering the wish of the founder of that chair that he became convinced that the law is a science?

That was the conviction, at all events, that gradually took possession of the shy young law student — the pivot on which a whole system of legal instruction was later to be swung aside into limbo. To his cronies he would dilate on that conviction with all the strength and fascination of his budding powers. Law was a science — a branch of human reasoning coördinated,

arranged, and systematized — not a kind of mental handicraft. Only as a science did it deserve a place in the curriculum of a university, as had always been recognized on the Continent; and only as a science could it be properly taught. At least one of his listeners ¹ has told how, standing before the fireplace at dusk, young Langdell would expound the scientific basis of law, totally forgetting in his intellectual enthusiasm the frugal bowl of bread and milk he had prepared for his physical supper. His little clique of admirers told each other that here was a genius. And for once a little clique of admirers was right.

He took his LL.B. in 1853, but continued another year at the School, a sort of graduate student and assistant to Parsons. Still he lived in the library by day, and still by night his lamp burned till near the dawning. He was indeed “seeking the fountains” of the law. He browsed among the reports as a hungry colt browses among the clover. The year-books in particular enthralled him. A fellow student in the library recalls his sudden fervent ejaculation, smiting his knee, “If I had only lived in the days of the Plantagenets!”

In 1854 he received the usual A.M. (then quite meaningless), and having saved enough for a start in practice,

¹ C. W. Eliot of the class of 1853. *Proceedings at the 250th Anniversary of Harvard College*, 97.

he determined to enter the field in New York City. But the sensitive, spectacled student found at the very outset of court work that the acutest legal mind, unsupported by practical legal experience, is no match for the tricks of the legal sharper. A quick succession of discomfitures from such gentry was too much for his pride. He flatly and finally withdrew from the courthouse and gave himself up to office work and research. Again he lived all by himself, in a room above his office, and (as was derisively said at the time) "pulled the ladder up after him."

Constantly in the law library, he there made the acquaintance of members of the bar, who, though acknowledged leaders, were not quite at home on various theoretic or historic points they happened to stand in need of. Quickly they recognized his profound acquaintance with the reports, his unerring application of legal principles, and his almost startling foresight. As quickly they began to employ him for the preparation of briefs, opinions, and pleadings. He worked largely for the Honorable Charles O'Connor. He was unheard of by the rank and file of the bar; but when the triumphant advance of opposing counsel was turned to rout by a sudden pitfall in the pleadings or an unexpected ambush in the argument, the well-informed would mutter, "D—n it, Langdell's at the bottom of this somewhere!"

Later he formed a partnership, chiefly for commercial law, with William Stanley and Addison Brown, afterwards United States District Judge, with Honorable Edwards Pierrepont of counsel, afterwards Attorney-General of the United States and Minister to England. Among these distinguished seniors, Langdell was only the modest, quiet student, always in his office, always at work, living frugally, and still retaining his awkward, countrified manners.¹

But when the Dane professorship at Harvard became vacant, the great head of the University, who had known and appreciated Langdell in undergraduate days, sought him out for the chair. Himself a scientific man, he was ready to subscribe to the proposition that the law is a science. He accepted, too, the corollaries — that law must be studied from the original sources, namely, the reports, and must be taught by men who have so studied it, irrespective of their practice of it; as geology is better studied on the hillside than in the parlor, and better taught by a geologist than by a stonemason.

So Langdell came to teach at the Law School as a king comes into his own. His first term, the spring term of 1870, was not memorable. He lectured on partner-

¹ One of the clique of courtly old professors at the Law School observed privately that the beginning of the new régime would not have been so hard "if Langdell had only been a gentleman."

ship and on negotiable paper. But he was busily collecting his cases on contracts, and in the autumn had the first advance-sheets ready for his course. Their publication, and an inkling of what they implied, fell on the legal community like a bolt from the blue. Teach law by cases instead of by textbooks? Preposterous! Also unheard-of! Some folks might practise law that way; no one could teach it! Besides, it would never do to bring the methods of the office into the lecture-room. Moreover, the cases were obscured by countless extraneous facts and confusing details. The law, pure and undefiled, was not in them. Now Co. Litt., or Justinian, if you liked . . .

Simultaneously with the publication of "Cases on Contracts" two other bombs fell into the ranks of the old guard. The scientific man at the head of the University put this other scientific man at the head of the Law School, creating for him the position of dean!¹ And both these scientific men, exact investigators, proposed that the attainments of all students should be exactly investigated before being certified by a degree!

¹ "The school up to that time [1870] had been managed by the Faculty by mutual consultation as to what its needs required, such as the courses of study, the selection and purchase of books for the library, the selection of the librarian, and the like; but there was no Dean and very rarely any formal meeting of the Faculty. . . . By a vote of the Corporation in 1829 the Dane Professor was declared till further order 'the head of this Department of the University.' This was changed by subsequent vote the same year, 'That the Senior Professor for the time being be considered the head of this Depart-

The prospectus of the School for 1870-1871 contained for the first time the strangely disquieting announcement that "examinations, of a thorough and searching character," would be held at the close of that year. "Each instructor," further said the prospectus, "will adopt such mode of teaching the subjects of which he has charge as in his judgment will best advance the pupil in his course." Thus was the new system officially baptized and received into the University fold.

The day came for its first trial. The class gathered in the old amphitheatre of Dane Hall — the one lecture-room of the School — and opened their strange new pamphlets, reports bereft of their only useful part, the head-notes! The lecturer opened his.

"Mr. Fox, will you state the facts in the case of *Payne vs. Cave*?"

Mr. Fox did his best with the facts of the case.

"Mr. Rawle, will you give the plaintiff's argument?"

Mr. Rawle gave what he could of the plaintiff's argument.

"Mr. Adams, do you agree with that?"

ment in the University.' . . . The school was conducted by its professors coöperating with each other, each devoting his time and attention to its interests, and so far as we heard expressions in regard to it by the students, the profession and the public, they were in approbation of its measures. As one after the other professor resigned the next junior took his place in the roll of the school. The President never interfered except upon application of the Faculty or some member of it." Professor Washburn's MS. (See note at end of chapter.)

And the case-system of teaching law had begun.

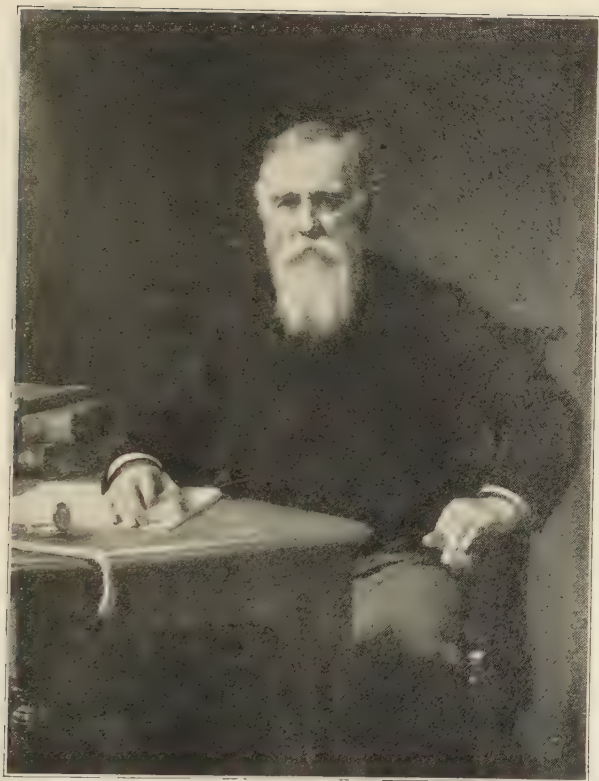
Consider the man's courage. What would be said to-day if some obscure lawyer from a distant city, without even his college degree, should arrive at the School and to its distinguished staff say in effect, "Your teaching is all wrong — inefficient, second-hand, obsolete. I have a new method that in the course of a generation or so will put your lectures about on a par with those of the University of Pekin." Moreover, a change of instruction at the Harvard Law School to-day would be backed with ample funds, aided with every modern device, received with the open mind of the truth-seeker, and tried out by a phenomenally able corps of teachers on a picked body of students whose intellectual average probably exceeds that of any other body of students in the world.

Langdell had none of these advantages. He was experimenting in darkness absolute save for his own mental illumination. He had no prestige, no assistants, no precedents, the slenderest of apparatus, and for the most part an unpromising *corpus vile*. He was the David facing a complacent Goliath of unshaken legal tradition reinforced by social and literary prejudice. His attempts were met with the covert disapproval of the other instructors, and the open hostility of the bulk of the students. His first lectures were followed by im-

promptu indignation meetings. "What do we care whether Myers agrees with the case, or what Fessenden thinks of the dissenting opinion? What we want to know is: What 's the *Law*?"

Did the new teacher himself know the law? He apparently took back in one lecture what he had said in the last. Young Warner, a keen logician (and one of the first converts to the new ideas), cornered him squarely one day, amidst a hurricane of derisive clapping and stamping. Would it be believed, "the old crank" went back to the same point next time and worked it all out to a different conclusion! Most of the class could see nothing in his system but mental confusion and social humiliation. They began to drop away fast.

A little group, the ablest men of the School (most of the names have been mentioned above), — "Kit's freshmen" they were dubbed, — discerned that there was something here better than the textbook lectures, and stuck to the ship. They were finding out how the law was made, and the reasons for it, and how it was applied in actual practice. The lecturer was finding it out for himself with them. Every step of the reasoning was being scrutinized and tested and reëxamined till *proved* right or wrong. The law was being treated as a science, not as a rag-bag of rules and exceptions. In the happy phrase of Professor Gray, the language of the law



CHRISTOPHER COLUMBUS LANGDELL

1892

was being taught, not from the artificial grammar, but from the natural translation.¹ The rest of the class was apparently hoping for a quick arrival of the millennium, when, "the law" being fully "known," there would be no need of cases in the courts to decide it.

Then came the new and dreadful ordeal of the examinations. Better than pages of description, the questions on the papers show the difference between the systems. The old professors called wholly for definitions and rules: "When and by what statute were lands made alienable in England after the Conquest?" — "What is the difference between an action of trespass and an action of trespass upon the case?" The new Dean presented actual problems for solution: "If A contract with B to serve him one year at so much per month, and at the end of six months' service he dies, will his representatives be entitled to recover against B for the six months' service; and if so, how much and upon what principle?" — "If a debtor tender to his creditor the amount of the debt on the day it becomes due, and the creditor refuse to receive it, and afterwards sue the debtor, how should the latter defend himself?"

Dismay filled the School. What chance now of learning what the law was? The number of students began to

¹ "Langdell translated the cases into English, employing not so much the laboratory as the language method."

diminish. Undeterred, Langdell took his next step in the development of the system, and carried the appointment of one of its earliest graduates, J. B. Ames, LL.B. 1872, as assistant professor of law, in 1873.¹ Here truly was fresh fuel! How was a young man, just out of his pupilage, without the least practical experience, to teach the law? Dark predictions were in the air. Lawyers of high rank and unquestioned discernment said openly that the School was being ruined. "Here where law was taught as a science, the rumor spread abroad that young men were not fitted for the bar, but for membership in the Antiquarian Society."² A large and prosperous school was opened in Boston, its instructors chosen from the ablest practitioners of the day, with the avowed purpose of continuing the old, safe-and-sane textbook method. Professor Washburn, a man of great reputation and influence, universally beloved, resigned in 1876 — the last survivor of the old corps.

Keenly as Langdell's nature suffered under each new blast of discouragement, his invincible perseverance, which alone had carried him through his student days, carried him through these as well. Sensitive but un-deviating as the compass-needle amid impending ship-

¹ It was Ames who fully developed the Socratic method of teaching: Langdell never encouraged much discussion in class, and in later life was so brimful of his subject that he confined himself almost entirely to straight lecturing.

² 23 *American Law Review*, 2.

wreck, he went straight forward. He knew he was on the right course. And a few others knew it, among them the illustrious band of assistants he had gathered around him. The fearless, sagacious President of the University knew it, and steadfastly upheld the hands of this new prophet. The case-system, far from being abandoned, was improved and extended. For a time, recent graduates of the School had been employed as private tutors to tide over the laggards from the old channels to the new. But this proved insufficient to attain the standard upon which Langdell's heart was fixed, and the prospectus for 1878 announced that the regular course would thereafter require three full years.

The library meanwhile, as the source of all law, was jealously fostered. A skilled and enthusiastic librarian ¹ had already been appointed. Langdell himself, like Story of old, deposited his own rare collections there. The administration of the School became a marvel of economy, foresight, and judgment. Not in vain had its Dean so dearly learned the lessons of thrift and method. The average ability of the student body was vastly increased by the requirement that either a college degree or a special examination should be necessary for entrance. The graduates of the new system began to take

¹ John Himes Arnold, who became perhaps the greatest law librarian in the English-speaking world. See *Harv. Grad. Mag.*, xxii, 38.

high rank in the profession. Through the generosity of Edward Austin, the second father of the School, a beautiful and commodious building arose to receive its growing numbers. The staff of instructors was augmented by men of the highest attainments, who refined upon the system to a point hitherto unimagined. Case-book after case-book appeared — not mere manuals of sailing directions for the voyager on the ocean of the law, but the buoys and beacons themselves, by which he may pick his way through the tortuous channels to a definite anchorage.

The case-system, at first a local matter, assumed national, and even international, legal importance. The reviews teemed with articles attacking and defending it. Law schools based upon it arose throughout the country. It was advocated by zealous supporters in England, both at the bar and in the universities. Its enthusiastic graduates, at a memorable gathering in 1886, organized the Harvard Law School Association. The "Harvard Law Review," its "official organ," came to the front rank among legal periodicals. Its students, in spite of a constantly rising standard, became so numerous that Austin Hall, though three times the size of Dane Hall, was completely outgrown. And long before the founder of the system retired from active participation in it, it stood an assured, approved success.

Professor Langdell's failing sight — in his later years he had to depend almost entirely upon readers — prevented him from much extension of his own teaching work. The courses on contracts and on sales, based on his selection of cases for each, published during the first years of his connection with the School, he entrusted later to other members of the Faculty. The subject of equity — jurisdiction, pleading, and practice — had a special fascination for his profoundly analytical and logical mind. He continued to give two courses, based on his "Cases in Equity Pleading," till the close of his work. His "Brief Survey of Equity Jurisdiction," published the year before his death, perhaps came nearer the ideal of a scientific legal work than any other. His last contribution to the "Harvard Law Review" was published only a few months before his death — an article on Dicey's "Law and Public Opinion." This kindly and judicious criticism, involving great labor, called forth from the distinguished jurist the warmest expressions of appreciation. Langdell's legal style indeed was admirable, comprehensive yet condensed, minute yet clear, vital and characteristic as the spoken word.

His private life was as serene as the steps of his own logic. His tastes were simple and fine. He was singularly free from cant and catchwords. He was a regular

attendant at old Christ Church, hard by the School, and had a steady, unobtrusive interest in parish affairs. He was a keen judge of men. His friends once made were always kept. For them was reserved the play of his delightful wit, and the affection of his tender, almost feminine, nature. He was devotedly fond of children. He enjoyed the society of ladies, though never a "ladies' man." September 22, 1880, he married Margaret Ellen Huson, the beautiful and spirited daughter of an Episcopal clergyman (deceased), at Coldwater, Michigan. He first met her while she and her mother were visiting in Cambridge the previous year. Thereafter he abandoned his somewhat cheerless life in a boarding-house, and took up his residence on Quincy Street. Mrs. Huson also made her home there, and a more lovely and tranquil household would be far to seek.¹

It may be doubted, indeed, whether his last years were not his happiest. Though the light of the body was failing him, the brilliancy of his wonderful mind seemed only to increase. Always full of intellectual interests, he now had leisure to speculate on the deepest legal questions and to systematize them to his satisfaction. True friends cheered him. Ardent admirers sat at his feet.

¹ The Langdells had no children. Mrs. Huson, a remarkable Irishwoman who deserves a biography of her own, outlived both her daughter and her son-in-law, and died at the advanced age of ninety-three, retaining her faculties and her keen wit to the end.

The University heaped its honors upon him. His A.B. had long ago been given him, as of the class of 1851. He was simultaneously distinguished with the LL.D. of both Harvard and Beloit. He was created emeritus professor upon his retirement in 1900. Three years later the Langdell Professorship of Law was endowed — the only chair named for a member of the University while still living. The vast and stately building, begun before his death for the School and its priceless library, was gratefully called Langdell Hall.

And quietly as he had lived he passed away, July 6, 1906, his great work done, and Harvard lost one of the most potent and daring innovators of its history.¹

¹ The official data for this sketch can easily be found in the printed reports and catalogues. See also Ames's article in *The Centennial History of the Harvard Law School*. The intimate and personal materials I obtained immediately after Professor Langdell's death from John Noble (A.B. 1850), his fellow student at Exeter, S. A. Green (A.B. 1851), his classmate at Harvard, J. B. Warner (A.B. 1870), one of his first pupils, J. J. Myers (A.B. 1869), another pupil and one of the private tutors referred to in the text, J. C. Gray (A.B. 1859), one of his earliest and longest coadjutors at the School, J. H. Choate (A.B. 1852), his contemporary at the New York bar, and others similarly well qualified. I have also made use of manuscript notes on Langdell's first years at the School, prepared by Professor Emory Washburn and now in my possession. As a near neighbor and friend of the family, and as one who was fortunate enough to have the unforgettable privilege of sitting under Langdell's instruction, I the more gladly pay this tribute to the memory of a great man.



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